# THE HINDOO PATRIOT

## With which is incorporated the Indian Field.

*REGISTERED No.* 22.

*PUBLISHED EVERY MONDAY.*


LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY


VOLUME XXIV. NUMBER 28.

CALCUTTA:—MONDAY, JULY 2, 1877.

*Per Annum in Advance.*
TOWN.....11-8.
MOFUSSIL.....13-4.


## THE WEEK.

MONDAY, 25TH JUNE.

WE OBSERVE that some of our contemporaries have given currency to a rumour that Mr. Robert Knight has been ostracised from Government House. We have reasons to believe that there is no foundation for this rumour. The Government is not likely to repeat the mistake which it committed by proscribing Major Fenwick at the instance of Sir Henry Norman.

THE GEOGRAPHICAL Society of Paris have, through Colonel Montgomerie, as corresponding member of the Society, done a very graceful act, in substantially making their recognition of the valuable services of a Native official lately retired from the Great Trigonometrical Survey of India. Pundit Narain Singh, the gentleman in question, has, during the last few years, distinguished himself by his successful explorations in Trans-Himalayan territory—his last being a very important one, extending from Eastern Ladak to the north of the Lhassa passing by the great Tengri-noor Lake Lhassa itself, and thence by an entirely new country into Upper Assam. It is in recognition of the important geographical discoveries made by the Pundit in the Himalayas, Great Thibet, &c., that the Paris Society have now presented him with a valuable gold chronometer watch, accompanied by assurances of their appreciation of the important services he has rendered to science. Pundit Narain Singh has, it appears, also received the Gold Medal of the Royal Geographical Society, and a small grant of land in his native place, which is situated in one of the upper valleys of Kumaon.

THE BOMBAY GAZETTE says that the Imperial Council established at the Delhi Assemblage is not to be the unsubstantial thing, it was generally believed to be. It is said that probably the inaugural meeting of the Councillors to the Empress will be held at Simla in the autumn, to discuss certain fiscal and administrative questions of importance connected with Native States The Maharajas Sindia, Holkar, Rewah, Jaipur, and others will probably attend. So it is intended to make the Council of the Empire a sort of House of Peers.

SRIMUTTI BISHESWARI DEBYA CHOWDRANI, zemindar of Gouripore, has given the handsome donation of Rs. 5,000 to the charitable dispensary at Nusserabad, in order that it may be re-classified in Class III, Grade I, and thus secure the services of an Assistant-Surgeon for the town of Mymensing. Srimutti Hurro Doorga Debya Chowdrani, zemindar of Ambaria, has also given Rs. 1,000 with the same object. The thanks of the Lieutenant-Governor have been communicated to the donors.

WE LEARN from the *East* that Mr. Brock, overseer of the Dacca Lunatic Asylum, absconded with Rs. 710 of Government money. It is said that he has already been arrested. Our contemporary adds that "this person was once before convicted of criminal breach of trust by the Joint-Magistrate but on appeal he was *honorably* acquitted, and on petition to Government reinstated in his post."

NEWS has been received from Kashgar to the effect that the Chinese forces are being worsted by the Ameer of Kashgar in Eastern Turkestan, and that there is likely to be a treaty of peace between China and Kashgar in which the latter will be officially recognised as an independent kingdom.

A DARJEELING CORRESPONDENT writes to us as follows:

"Why the Commissioner of Rajshahi and Kuch Behar should at all remain here with his staff for above six months entailing unnecessary expenditure upon the State is a question which at present occupies the attention of His Honor the Lieutenant Governor. His Honor is of opinion that a Station favourably situated in the Division should be fixed for his head-quarters and that his Darjiling trip should be on *bona fide* circuit purposes for a period necessary only for the occasion and with a limited establishment."

THE SAME CORRESPONDENT says:

"Major Lindsay the Engineer-in-Chief is in earnest to open the portion of the North Bengal State Railway line from Julpaigori to Attrai for passenger traffic from the 15th of next month. Had it not been for the insufficient and late supply of bridge materials, it is said the whole line would have opened by that date. The above commencement is however hopeful, and the home-going Bengalies are at once delighted to know that they will make shorter, easier and cheaper journeys in the coming season. The offices of the Engineer-in-Chief and the Examiner of Accounts North Bengal State Railway which have been here for the last three years have added much to the importance of Darjiling; but on the opening of the line, they will be removed to some other station. But Major Lindsay it is rumoured is not disposed to go to the plains; it is said that he would have nothing untried to remain permanently at Darjiling with the whole of his office establishment."

"There has been a change in the Post Master here the last month. The late Post-Master gave general satisfaction, but no earthly being could concieve the object of the authorities in removing him against the wishes of both the European and Native communities. Interest and favor have it seems carried the day.

"A very serious Treasury defalcation case is just being enquired into and occupies the best attention of Mr. Edgar the Deputy Commissioner. Baboo Bhobo Tosh Banerjee Deputy Collector who has since been transferred from Julpigori to this Station and is at present in charge of the District Treasury, deserves great credit for discovering and bringing to light the above defalcation, which it is said happened some three years ago. It is a matter of surprise how this remained undetected for such a length of time when Messrs. Page and Paul were in charge of the Treasury. I shall not fail to let you and your readers know the result of this case as soon as it is disposed of."

TUESDAY, 26TH JUNE.

A KNOWING and kind-hearted correspondent makes the following suggestions to candidates for employ in the Mofussil:

"1. Always enclose a stamp to allow of a prepaid reply.
2. Send copies of certificates not the originals,
3. If you are employed at the time, state if your present employer objects to your leaving or not and mention your present pay.
4. If out of Employ, give a copy of a certificate from your last Employer, and mention the pay you drew.
5. Always adress your application to the official head of the Department you wish to join, and not by his name thus—Engineer-in-Chief———Railway; this prevents your application being mixed up with his private letters."

A CORRESPONDENT sends us the following statement of grievances of the subordinate establishment of the Public Works Department:

"Do you know, that during the last four years almost all the Executive and Assistant Engineers have got either a temporary or a permanent promotion in the General branch of the Provincial Establishment. That not more than about four overseers have been promoted from the 2nd to 1st Grade—though there were many vacancies, and that though these overseers of the 2nd Grade, have done nothing to be punished in this way to be deprived of their promotion the Heads of the Department can scarcely come to know the actual grievances of these poor subordinates who have more privations, and hardships to undergo, and are exposed to greater risk, in the performance of their duties, than their brethren, who get the lion's share in the promotion,—and not only this, the overseers who are to work the hardest in the Department are on a bed of thorns, they have more than one superior to satisfy,—the superiors' duties being to superintend, and check the duties performed by the overseers; and these superiors can better represent their case, than their unfortunate inferiors, who are not unfrequently subjected to the whims and caprices of these superiors and they never can represent their grievances to Government for their papers are returned with certain remarks, and perhaps often with threats. Then again you see, there is a differences of pay from the former to the present days, in every Grade of the Engineer and lower Subordinate Establishment,—but the pay of the upper Subordinates remain just the same, in every grade, as from the very beginning of the P. W. D. in India:

Formerly the minimum pay of suboverseer 3rd Grade was Rs. 15, and the maximum of sub-overseer 1st Grade Rs. 50 but now 25 and 70 respectively, the pay of the Assistant Engineers 3rd Grade, 2nd Grade and 1st Grade have also been considerably increased, and also of the Executive Engineers from 1st to 4th Grade have been similarly increased.

An overseer's pay was minimum 60 and maximum 100 before the time of Col. Goodwyn, and is still the same. In the time of the present chief of the P. W. D. these men, especially of the 2nd and 3rd Grades to which grades, no Europeans Warrant, and Non-Commissioned officers, and soldiers, enter, suffer the most,—and as many vacancies, as may occur in the 1st Grade overseers are not filled up by promotions from the 2nd Grade, but by appointing Europeans, Eurasians, East Indians, and out-siders of the white-race; and only these rooms are abolished, for the sake of reduction, when vacancies occur if there be no such white candidate for appointment, Has up to this day the number of Executive Engineers or Assistant Engineers lessened, but have not several rooms of overseers 1st Grade, been abolished when vacancies took place in this grade, by promotion of overseers 1st Grade to supervisor 2nd Grade,—to the utter disappointment of the overseers 2nd Grade, who have now, no other means of making known their grievances to the Chief Engineer, the Secretary to the Government of India, and to the Minister, for redress, than through the columns of your paper."

IT IS STATED that it has now been finally settled by the Secretary of State that there shall be one more examination next year for the Indian Civil Service under the old conditions, that is, with a maximum limit of age for candidates of twenty-one years. Only fifteen appointments are, however, to be completed for. This examination will be held as usual in March. In July of the same year the first examination under the new system, for candidates not exceeding nineteen, will take place, when there will probably be about twenty appointments offered.

THE LOYAL CANADIANS desire that the good Queen Victoria, in addition to her other honours, shall assume the title of Empress of Canada. The United States it is said will make no objection. But we doubt whether the Queen will take any other new title.

APROPOS of Lord Lytton's letter of condolence on the death of Maharaja Rommanath Tagore C. S. I. *Native Opinion* of Bombay says: "By this expression of sympathy Lord Lytton has done honour not only to the Tagore family, but to the whole native community in India."

MR. L. R. ASHBURNER, Revenue and Police Commissioner, N. D. has been appointed Member of the Bombay Council, in succession to Mr. Rogers. *Native Opinion* does not think much of this appointment. Our contemporary would have been glad if Mr. Chapman had been promoted to the Council. Mr. Chapman, whilst a member of the Governor General's Legislative Council, did admirably.

WEDNESDAY, 27TH JUNE.

THE FOLLOWING appointments are notified in this morning's *Calcutta Gazette*:

Mr. S. C. Bayley, Secretary to the Government of Bengal *vice*, Mr. Rivers Thompson.

Mr. H. J. Reynolds, Officiating Secretary to the Government of Bengal, is confirmed in that appointment, with effect from the 15th May 1876, *vice* Mr. H. L. Dampier.

Mr. J. Geoghegan, C.S., on furlough, is appointed to be Secretary to the Board of Revenue, *vice* Mr. H. J. Reynolds.

Mr. A. Mackenzie, Officiating Secretary to the Board of Revenue, Land Revenue Department, is appointed to be Junior Secretary to the Board of Revenue, *vice* Mr. J. Geoghegan, but to continue to act in his present appointment.

Mr. Mackenzie will act as a Secretary to the Government of Bengal during the absence, on leave, of Mr. H. J. Reynolds, or until further orders.

Mr. D. R. Lyall, Magistrate and Collector of Dacca, is appointed to be a Magistrate and Collector of the 2nd Grade *vice* Mr. A. Mackenzie.

The Bengal Government will now have a strong Secretariat.

THE COMMITTEE of the Bristol National Indian Association in aid of social progress in India have passed the following important resolution on female education, founded on the information which has reached them from various quarters:

"The last ten years have witnessed great advances in Native opinion in India respecting the importance of female education.

"In the large cities there are now numbers of educated Native gentlemen who desire to promote the movement, and to obtain education for the female members of their families.

"Many Indian nobles endeavour to obtain the services of educated ladies in their households.

"Instances are continually occurring of Native ladies who have attained a high education, some even presenting themselves for university examinations.

"An insuperable barrier still exists, however, to the improvement of the Girls' schools, in the want of *educated and trained female Teachers*, who cannot be obtained in India, and that it is well known scientific training in the art of teaching greatly facilitates the acquisition of knowledge, and the development of the intellectual powers.

"Extreme difficulty exists in India in obtaining suitable femle teachers from England for any Girls' Schools,—most of all for Native Girls' schools,— which require not only India who are well trained, but who possess various other qualifications.

"The time seems, therefore, to have arrived when Englishwoman in England are specially called upon to help in this work, *by associated effort*. This should unite all classes, and thus prove to Native gentlemen the sympathy of Englishwomen with their Indian sisters, in a work which they cannot unaided accomplish.

"The first and special object of this proposal is to select, prepare, and send out to India, trained Lady Teachers where required.

"By means of these, really good schools might be established in important centres, in which teachers might be trained while employed as assistants, as in English schools. Large numbers of young educated Englishwomen or Eurasians might be so employed.

"Special funds must be raised to assist in training and sending these out;— the Government and native effort supporting them when there."

The philanthropy of the Association cannot be too highly admired, but lady teachers from England to teach Indian girls in the vernaculars in our opinion would be a mistake.

THE BRITISH MEDICAL JOURNAL, in commenting upon the food controversy of Madras, thanks the Madras Sanitary Commissioner "in the name of his profession, for his courage in challenging the opinions and acts of one of the highest, ablest, and most trusted officials, backed by all the influence of the Government of India." The writer adds:

"Nor must we withhold from Sir Richard Temple the praise which is his due; he might have invoked the Government to rebuke the presumption of a health officer for daring to call in question his 'theories' and the fatal acts founded on them

but instead of this he descends into the arena, and defends himself, if not with success at least with skill. The combatants on such ground were unequally matched, but Sir Richard must at least feel that there is no disgrace in being worsted in such an argument by so consummate a master of his subject as Mr. Cornish."

Sir Richard however caught a Tartar in Dr. Cornish.

THE STATE QUESTION of the moment is, according to the *Pioneer*, what shall be done with our surplus engineers. A scheme is already under consideration for retiring a large number of the executive rank, and that might mend matters permanently, if the excessive supply of new men were simultaneously arrested. But what is to be done with the 45 recruits sent out annually from Cooper's Hill—to say nothing of the eight from Roorkee—and next, what is to be done with Coopers's Hill itself? Of these due from the latter institution in October, provision can be made for 19 only throughout India—all the subordinate Governments having been referred to—but only for 13, if the famine works in Madras and Bombay should be suspended. More than this, the local Administrations—Bengal has done so already—may shortly ask to be relieved of all surplus members of the Imperial Public Works establishment, now that the cost of carrying out these works has been thrown upon provincial resources. The logic of the request seems unanswerable. Cooper's Hill ought to be abolished without a moment's delay.

THE MONEY-LENDING CHETTIES of Madras seem to be an enterprising class. They had settled in Moulmein and Rangoon many years ago and soon afterwards started in Akyab and Bassien. Not content with the business to be found in the seaport towns, they have recently had branches in Tounkhoo and Prome; and now we hear that one of the largest firms of Chetties has sent an agent to Mandalay to see what prospect there is for money lenders in the territory of the King of Burmah. The progress of the Chetties in Madras is one of the signs of the times.

AT OXFORD, on the 30th of May, statutes were brought forward for the appointment of a teacher of Hindustani and Persian, of another teacher of Telugu and Tamil, and of two readers, one in Indian law and one in Indian history, in place of the present readership combining both law and history. The statute for the Indian law readership was passed without a division, and the others were carried by large majorities.

### THURSDAY, 28TH JUNE.

THE RUSSIAN WORLD, a journal which professes to educate its readers on all matters political and social as well as geographical, contains the following interesting and instructive, but unfortunately brief, account of Simla, and the Viceroy's motive for visiting it:—"The court of the Viceroy has been removed to Simla, a town situated not very far from the Himalayas, somewhere in the North of Hindustan. The selection of so distant a point for a residence for Viceroy, nearer to Kashgar than to Calcutta, is in itself a sign of the abnormal condition of the Anglo-Indian Policy." Live and learn!

IN 1874 the attention of the Government of India was attracted to certain statements, to the effect that the trade of the city of Peshawar has greatly declined, a report was thereupon called for the result of which seems to show that the decline was confined to two years, viz 1872-73, and 1873-74 and that a great cause of it was the occupation of Khokund by the Russians and their prohibition of trade from India.

MR. ABBERT RESLALIC has been appointed Acting Consul for the Netherlands and Acting Vice-Consuler Agent for France at Aden during Mr. Salmon's absence. Mr. A. A. Apcar has been appointed Consul for Siam at Calcutta.

IN AN ARTICLE on the "Zenana Mission" the *Pioneer* says that "the Zenana Mission resolves itself into an enterprise to step in between man and wife in the native household." But the attempt does not as a rule succeed. The Hindu wife is too much attached to her lord to falter.

A CORRESPONDENT writes to us as follows:

"A good deal of perverse ingenuity seems to have been exercised in the office of Compiler of Postal Accounts, Calcutta in misunderstanding or rather misconstruing "The Leave and Acting allowance Code" issued by the Financial Department. Recently a circular has been issued from that office whereby ministerial officers whose pay is less than 100 Rupees a month are required not only to meet the extra cost consequent on their absence in the shape of acting allowances in the chain of acting arrangements but also of travelling allowances and transit pay of each and every person having to be transferred in consequence of such arrangements. The effect of this would be that such officers taking leave of any description shall have not only to forgo their claim to all allowances for the period of leave but also to make good to the state from their own pockets, the balance of extra cost under the heads above stated. Surely such a hard lot to poor officers could not have been the intention of the framers of the Code. Happily the Section of the Code under which the Circular was issued is more charitably interpreted in other Departments. The Compiler ignores the existence of the parenthetical clause "(see Acting Allowance Code Section 22)"

But who cares when poor men are sufferers. Will the Supreme Government condescend to enquire how their rules already hard upon their poor employes are made still harder in their application."

M. ANDRE Theuriet, the well-known French poet and novelist, in an article in the '*Revue des deux Mondes*' for February last speaks very highly of Miss Toru Dutt's 'Sheaf gleaned in French fields.' He says "the flowers transplanted in this poetic garden have not much lost their original freshness, most of them have preserved "*le port et la physionomie*, they had in their soil." He adds that the translations are not only exact in sense but the very '*forme des strophes l'entrelancement des rumes et l'allure du rhythme qui caracteresent les pieces originales*,' are preserved. He concludes with the words "that in turning over this volume in which short biographical and critical notices accompany the name of each author I verify once again, not without a sentiment of humiliation how thoroughly foreigners know our literature even in its most obscure corners and how little we know theirs." Deserved praise, but who informed M. Theuriet that Miss Dutt is "une dame anglaise." She is of pure Hindu parentage, being the youngest, and now, we believe, the only daughter of our well-known townsman Babu Govin Chunder Dutt. With her father she has however embraced the Christian faith.

WE ARE REQUESTED to mention that there is no truth in the rumour noticed in these columns that His Highness the Maharajah of Jeypore has made or is making arrangements with Baron Reuter for the regular supply to him of war telegrams.

WE TAKE the following from the *Delhi Gazette*:

"As a weed destroyer, says the *Florist and Promologist* carbolic acid seems likely to prove a boon to gardeners. Such weeds as dandelions are killed by one application; the mode of applying it to destroy single plants being to make a hole in the crown with an iron spoint, and then to pour in a little of the liquid from a bottle. For paved yards, and also for garden paths, the carbolic acid mixed with from fifteen times its quantity of water in a bucket, according to its original strength and applied with a brush or broom, or from a rose watering can, a sunny day being the best."

### FRIDAY, 29TH JUNE.

A CORRESPONDENT writes to us as follows:

"I am glad to inform that His Honour the Lieutenant-Governor thinks of transferring the Registration Department to the control of the District Judges: I think you suggested something like it some years ago. The idea is good. Judges are experienced officers having to deal with assurances in their civil capacity, they are necessarily the best men to ensure correct registration. Moreover, the present Law has made registration a judicial proceeding and the judicial officer is the best person to guide that proceeding. The Department is moreover now under the control of the Judicial Secretary of the Bengal Office. Further the Department was all along under the Judge and it was a mistake to transfer it to the Collector."

SYUDAHMED'S ANGLO-ORIENTAL College at Aligarh we are glad to notice seems to be prospering. Four of the cousins of His Highness the Nawab of Bhawalpore have, we hear, joined the College as students, and some of the Collectors in the upper districts have also sent boys under the care of the Court of Wards.

WE ARE EXCEEDINGLY SORRY to learn that Mr. Gustadji Ardasir Wadia, who lately passed the Civil Service competition successfully, has been rejected on the ground of physical incapacity, consequent on a constitutional disease with which he is affected. It is a very hard case. Is the disease a hopeless one?

ACCORDING to a correspondent of the *Bombay Gazette* a novel mode has been adopted at Baroda for putting down popular feeling. "Printed placards," we are told, "have been put up at the principal gates of the city (Baroda), the clock tower, and at other places of public resort, admonishing the people to abandon all idea of the ex-Gaekwar's restoration, and to forbear from petitioning on that subject." Why deprive the people of the innocent solace of petitioning, though it is true that no good will come of it?

WE ARE glad to learn that the Eastern Bengal Railway Company have, in consultation with the Raja Degumber Mitter C. S. I, directed their attention to the question of improved accommodation for Hindu ladies. Similar arrangements ought to be made on the other lines also.

IT IS SAID that shiploads of Chinese are about to arrive in London, in search of employment as cooks, horsemen and washermen. So Sir George Campbell's dream will be realized.

THE MAHARAJA of Bijni is evincing an enlightened interest in the cause of education. He has, it is stated, given three gold medals and two silver medals to be awarded to the most successful candidates at the Entrance, First Arts, B. A., and Honor Examinations of the Calcutta University. He has also founded four scholarships at the Presidency College, Metropolitan Institution, Mymensing School, and Gowhatty School.

IT IS stated that by an order of Her Majesty in Council the provisions of the Act for more effectually punishing offences against the laws relating to the slave trade have been extended to the following parts of Asia and Africa:—The territories of the Khan of Khelat, the Sultan of Muscat in Mekran and Arabia, the coasts of Beluchistan and of the Bandar Abbass Districts, and the shores of the Persian Gulf, the coast of Arabia from Ras Musendom to Cape Babel Mandel, the territories of nine specified tribes near Aden, the coast of Africa from Ras Sejarme to Delagoa Bay, the territories of the Sultan of Zanzibar and the seas and islands within ten degrees of latitude from such coasts and shores respectively,

### SATURDAY, 30TH JUNE.

THE MEMORIAL of Babu Peary Mohun Banerjea, the "Fighting Munsif," is to take the form of a Medal, to be called the "Peary Mohun Medal," and annually awarded to the successful candidates of the Muir College for proficiency in Physical Science at the B. A. examination.

THE LONDON CORRESPONDENT of the *Bengalee* gives this picture of the present condition of France:

"The Marshal President of France, McMahon, would be a King. He has right royally dismissed M. Simon, this Prime Minister, who had a majority in the assembly, and has appointed the Duke of Broglie in his stead, a man "hated of the Commons," and he sends a right royal message to his commons, in which he speaks of "*my* ministers, and *my* Government, and *my* people" in the old regal method. Power has turned his head, as it does the heads of most Frenchmen, and he would be King. The Assembly bind themselves to oppose these high-handed measures, by constitutional means only. The Marshal prorogues the Assembly and for a month he has it all his own way. If at the end of a month the Assembly still persists in its opposition, he will dissolve it, and elect another. Thus he becomes autocrat till October. All this is very foolish, and, in the present state of Europe, wicked. For the next five months France will be despotic again. The English newspapers are subjected to a censorship in Paris, because they find fault with the President. And all this in Republic! In the meantime General Grant from America is living in London as a private citizen. Behold the contrast!"

France cannot be steady.

THE SAME WRITER says that the Canadians had lately offered to send 10,000 men to assist England in any part of the world, if she went to war, and now comes across the Atlantic a still more startling announcement—that in the state of Virginia there is to be an international celebration of Her Majesty's Birth-day, lasting for three days, at which delegates are to attend from all the States of the Union and from Canada. God bless the Queen!

HIS HONOR the Lieutenant Governor leaves Darjeeling on a tour through the Eastern districts. The following is the programme of His Honor's tour:

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| Leave Darjeeling... | 9th July. | Dacca ... ... | 18th July. |
| Julpigori ... ... | 10th ,, | Durbar at Dacca ... | 19th ,, |
| Attari ... ... ... | 10th ,, | Leave Dacca ... | 21st ,, |
| Reach the *Rhotas*... | 11th ,, | Comillah ... ... | 22nd ,, |
| Mymensingh... ... | 14th ,, | Leave Daudkandy ... | 22nd ,, |
| Leave Mymensingh | 16th ,, | Backergunge ... | 25th ,, |

BOMBAY is taking to jute cultivation. It is reported by the Revenue Commissioner, N. D, that the experiment recently made is so far satisfactory, that, notwithstanding all disadvantages in the seed not having been planted in season and the soil inferior or unsuited, jute of a middling quality was produced. The Bombay Government has passed the following Resolution on the subject:

"The proceedings of the Revenue Commissioner, N. D., are approved. Government will have no objection to remit the revenue on lands where the jute sown does not produce a paying crop, but care will have to be taken that this concession is not abused. The results of the experiment will be awaited. Specimens of the fibre should be sent to the Jute Mill in Bombay for the favor of valuation, and the results of the experiments should be made known through the English and Vernacular Press.'

Bombay is sure to succeed in this enterprise.

WE TAKE from the morning papers the following telegrams of the week:

*London, 23rd, June.*—At a Cabinet Council held yesterday, it was resolved to ask Parliament for a credit on account of precautionary military preparations. Six thousand Russians have crossed the Danube at Galatz. The Turks at Matchin are retiring. The Czar has gone to Ibraila, where everything is ready for a passage of the Danube. The Turkish occupancy of Bayazid has cut off the retreat of the left wing of the Russians, who are falling back from Delibaba. Suleiman Pacha has effected a junction with Ali Said Pacha, and is marching on Cettinge.

24.—A despatch from Gortschakoff dated the 30th May, replying to a letter from Lord Derby to Schouvaloff on the 6th May, in which he defined the interests of England in the East, promises to respect them so long as England remains neutral, and states that Russia will not interfere with the Suez Canal of Egypt nor will she extend the war elsewhere beyond the limits of necessity. Acquisition of Constantinople is not included in the views of the Czar. The future of Constantinople being a question of common interest cannot belong to any one European power. As regards the passage of the Dardanells and Bosphorus that is a point which should be settled by the European powers in concert on equitable efficient and guaranteed basis, the despatch adds that the Czar has resolved to obtain guarantees for the security of the Christian subjects of the Porte and Russia and also against any recurrence of the disturbing effects of Turkish misrule.



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24.—The Russian troops have occupied Matchin, and the passage of the Danube continues. According to an official Turkish despatch, Ahmed Mukhtar Pacha attacked and defeated a Russian division on the 21st instant at Hjliatz, in the district of Delibaba. The Russians retreated in disorder. An official Turkish despatch states that Montenegrins have evacuated Cottiege.

25.—The Russians have, after severe fighting, occupied the heights of Matchin The Turks have evacuated Tultscha and retreated in good order to Hirsova. An official Turkish despatch indicates that it is the intention of the Turks to abandon the Dobrudschr and make a determined stand at Trajan's wall.

26.—In the Commons last night Sir Stafford Northcote said the Porte assents to the views entertained by the British Ministry respecting the navigation of the Suez Canal by neutrals, but refuses to grant the same privileges to the enemy. Relying on the assurances of Russia, the British Ministry do not contemplate protecting the Suez Canal. According to Russian official despatches, the erection of siege works and the bombardment of the northern forts of Kars continue. A sortie of the garrison on the 22nd was repulsed by the Russians. Kurdish troops have invested the garrison of Bayazid, whither reinforcements are being sent. Severe fighting took place on the 21st and 22nd at the Delibaba Pass. The Russians eventually fell back on Zeindekan. Both sides lost about 5,000 men. The Czar has returned to Ployesti.

*Paris, 25th June.*—A decree by Marshal MacMahon has been published, dissolving the Chamber of Deputies, and appointing new elections to be held in three months's time.

*London, 27th June.*—According to official Turkish despatches the Russians unsuccessfully attacked Batoum on 23rd instant. Turkish Commander of Garrison on 24th attacked and completely defeated the Russians, darkness prevented his occupying the enemy's entrenchments. The Russians on Sunday commenced a terrific bombardment of Rustchuk. The English consolate there being destroyed, the Turks are replying vigorously. Colonel Wellesly Military attache to British embassy at Saint Petersburg has been coldly received at the Russian head-quarters at Ployesti. The statement that dissensions exist in the English cabinest is untrue.

*London, June 29.*—The Russians have occupied Sistova and adjacent heights. The crossing of the river continues. The Russian head-quarters has been removed to Simnitza. The Turkish Parliament has been closed. The House of Commons agreed against the Government, by 104 against 56 votes, to motion Jervis for a Select Committee on Ordnance Major's claims for arrears. Sir W. Jervois has been appointed Governor of South Australia. Sir H. Ord has been appointed Governor of Western Australia, *vice* Robinson, appointed Governor of the Straits.

*London, June 29.*—The Russian troops have reached Khorrassan. According to the Russian official despatch there was fighting at Zewin on the 25th instant, when the Russian attacked and carried the Turkish advanced entrenchments. The Russian official despatches substantially confirm the Turkish successes at Batoum on the 23rd and 24th instant, and admit that the Russians lost many in killed and wounded. The proclamation of the Czar to the Bulgarians averts to the ties between the Russian and Bulgarian Christian states. The mission of the Russian army is to secure the sacred rights of the Bulgarian nationality, and appeals to concord on the part of the Christian populaced by a regular Russian organisation in which the natives will participate. A debate has taken place in the House of Commons on the Fuller case. Mr. Lowe argued that Lord Salisbury's despatch had destroyed the independence of the India Judges. Sir George Campbell and Mr. Fawcett defended Lord Salisbury. The Solicitor General defined the legal aspect of the case, and said that the Indian Judges, owing to the absence of other control, must be subject to the control of the executive. After other Members had spoken the subject dropped.

WE HAVE to acknowledge with thanks the receipt of the under-mentioned publications and periodicals:—1. Statistical Returns to the Assam Administration Reports for 1872-73 and 1873-74. 2. Index to the Journal of the Asiatic Society of Bengal, Part II. for 1876. 3. The Eastern Question in its Anglo-Indian Aspects, a paper read before the East India Association by the Rev. Mr. Long. 4. Hints on the Selection of Watches. Cooke and Kelvey. 5. Urdu-Upadesa. By Rai Kalliprosunno Sen. 6. The Saddarshana, or studies in Indian Philosophy vol. V, No. 6. 7. A printed petition to the Viceroy and Governor General by Purmodrye Vithalrye regarding the restoration of the temple of Sreenathjee to the Maharaj of Nathdwara. 8. A printed petition from the members of the Vaishnava Community of India to the Governor General in Council for the redress of their grievances. 9. Subda Kalpadruma or the Sanskrit Dictionary of the late Raja Sir Radhakant Deb Bahadur K. C. S. I. Vol. VII. No. 607. 10. Messrs. Thacker Spink & Co.'s monthly circular for June 1877.

WE TAKE the following from the *Pioneer*:

"Messrs. Roosey and Co., the well-known music publishers of London, have placed before the English public a musical contribution from Calcutta. The song "Kaiser-i-Hind," of which Mr. O. C. Dutt writes the words and Ethel Harraden the music, is now awaiting home criticism. One paper already declares the music bold and effective in rhythm, and expressing well the patriotic sentiments of the words. Prefixed to the song is what is described as a characteristic melody arranged to suit the same words by Rajah S. M. Tagore, Musical Doctor of Calcutta.

We published the song in these columns some time ago.

MESSRS. COOKE AND KELVEY have published a neatly got-up pamphlet containing hints on the selection of watches. It is a very interesting publication, and will repay perusal.

## NOTICE.

### INDIAN ASSOCIATION FOR THE CULTIVATION OF SCIENCE.

LECTURE by the Very Rev. Father Lafont, S. J., on *Thursday* the 5th *July* next, at 7½ P. M.

*Subject*: The Human Eye considered as an Optical Instrument.

*Rules of Admission to Lectures of the Association.*

Admission invariably by Ticket.

Donors admitted free to all Lectures. Subscribers prepaying for the year or the month admitted free to all the lectures of the year or the month respectively.

Admission Fee for non-subscribers—*Annas* 8 for a single Lecture: Or Rs. 3 in advance for 12 consecutive Lectures.

Tickets to be had of the clerk at the office of the Association between 10½ A. M., and 4½ P. M., (Sundays excepted), and on the day of Lecture up to the time of Lecture.

MAHENDRA LAL SIRCAR, M D.
*Honorary Secretary.*

1st *July* 1877.


# The Hindoo Patriot.

MONDAY, JULY 2, 1877.


## THE GOVERNOR GENERAL'S REPLY.

HIS EXCELLENCY the Governor General has replied to the memorial of the British Indian Association regarding the Public Works Cess Act. Under the Indian Constitution the Governor General alone can veto an Act of a local Council, and though we believe His Excellency sometimes takes the opinion of his Councillors, particularly of the Law Member, before he comes to a decision, he alone is responsible for his decision. When Lord Northbrook vetoed the Bengal Municipalities Bill of Sir George Campbell or the Non-Agricultural Cess Bill of Bombay or the House Tax Bill of Madras, he alone was responsible for the steps taken. In the same way we fear we must hold Lord Lytton responsible for his refusal to comply with the memorial of the British Indian Association. We have however read his reply over and over, but cannot find a single trace of that polished rhetoric, that breadth of mind, and that high-minded statesmanship, which so eminently characterize his Lordship's utterances. True, the voice has come from the Olympus and in the name of the Throne, but it has not that music, to which we are so much accustomed. When the real voice speaks, there is a grace even in a refusal, but this voice grates on the ears. Nevertheless Lord Lytton must take the inevitable criticisms, as his Lordship has made the reply his own.

It has seldom fallen to our lot to read such an illogical, dogmatic, and intolerant State-paper as this reply of the Governor General. We will notice some of the more important points *seriatim*. In the first place it is stated, "that the circumstances under which this Bill was introduced into the Council of His Honor the Lieutenant Governor, have not been specially alluded to in the memorial, but it is necessary to refer to them, because they have an important bearing on the question at issue." Now, the memorialists distinctly state that they will not repeat what they have already urged in their memorial to the Lieutenant Governor, copy annexed. In the last mentioned memorial the history of the measure is set forth at length, and the principles on which it was proposed to impose new taxes upon Bengal for provincial works are fully combated, but His Excellency the Governor General does not take notice of the arguments advanced in the first memorial, and yet says that the memorialists have not adverted to the history of the measure. His Excellency reminds the memorialists that "the Bill had its origin in the Resolution of the Government of India, that each province shall be responsible for meeting the charges incurred on works of local and provincial utility, and that such charges shall no longer fall upon the imperial revenues." But on this point the memorialists in their first memorial join issue with the Government of India. They maintain that the distinction made between works of provincial and general utility was a "juggle of names," and that the imposition of new provincial taxes, based upon the distinction thus drawn, was by no means justifiable. His Excellency the Governor General takes no notice of the arguments on that head, but simply assumes that what has been done in this matter is fair and just. Of course there is no reply to such logic; when it is assumed that a principle must be right because it has been adopted by the Government of India, it is argument thrown away to argue against it. It is pointed out that the principle will be extended to all the provinces alike, but it is forgotten that the incidence of new taxation in all the provinces will not be the same, and that when such is the case, the operation of the principle will not be equal. If the Government of India believes that all the provinces will be equally called upon to bear the new burdens, then why not impose a common tax from which none will be exempt? The decentralization of finance on the principles adopted is a mere mockery, and the memorialists have strongly objected to it, but in the reply before us no answer is vouchsafed to the arguments on this point. The reply is so far frank that the Government of India takes upon itself the whole responsibility of the new scheme of taxation and also of the Bengal Cess Act. We have from the commencement of the present controversy held that the Government of Bengal is merely as instrument in the hands of the Government of India; certain writers would insist that Mr. Eden was wholly and solely responsible for the Cess Act, the necessity of new taxation having been laid down by the Government of India; this we have always denied; and the Governor General's reply fully bears out what we had urged. His Excellency the Governor General says:

"It was, explained by the Financial Member of Council that a sum of about £275,000 would have to be made good annually by Bengal, and that a large portion of this amount must be raised by fresh provincial taxation. It was stated that the Government of India was in communication with the local Government on the subject: that although any schemes of new taxation must first be sanctioned by the Supreme Government, the actual initiation of the measures to be taken must rest with the Lieutenant-Governor in whose Council whatever legislation might be necessary would take place. "It is hoped" as it was said, "that the Government of Bengal will avail itself, as far as possible, of existing modes of raising revenue, and endeavour to extend and expand them, rather than have recourse to new and unfamiliar systems of taxation, and that it will be able to carry out all necessary measures through its present establishments. Even if it were possible to devise new forms of taxation theoretically better than the forms which already exist, it would still be wiser to adhere to systems understood by the people, rather than adopt innovations which might cause dissatisfaction and apprehension, and which might lead to oppression through the creation of new collecting and assessing machinery. Although the amount to be raised is in itself considerable, the increase of taxation which it involves will really be very small, when distributed over an enormous population. I have no doubt that the local Government will be able to adopt successfully its present system to meeting this increase demand. I am sure that it will be the universal feeling, not only of this Council, but of the public, that the initiation of the necessary measures could not be in better hands than in those of my honorable friend Mr. Eden, and in regard to this matter the views of the two Governments are completely in accord.

The memorialists will understand from what has now been said, that, although the official initiation of the measure now in question, rested with the Government of Bengal, the chief and real responsibility for that measure belongs to the Government of India. The conclusion was deliberately adopted by the Governor-General in Council in communication with the Lieutenant-Governor that of all the forms of taxation which could be devised for the purpose of raising the necessary funds in Bengal, none was open to so little objection as an extension of the existing road cess."

Could any thing be more clear than this that the Cess Bill was the work of the Government of India or rather of the Financial Member, and that on the Lieutenant Governor devolved the task of introducing it? It was a pity that His Honor gave his assent to it, but perhaps His Honor was helpless. As Lieutenant of the Viceroy it was his duty to carry out the behests of the Government of India, and he has loyally performed it. The responsibility of the measure, however, rests with the Government of India, and the public ought to know this. In so far we commend the frankness of the Government of India. It has not shirked responsibility, and it ought to feel thankful that it has had such an able executant of its will. But neither its own candour nor the ability of its agent can alter the character of the measure or allay the discontent of the people.

What however surprises us most is the atti tude, which the Government of India has as-

sumed on the subject. It plainly tells the memorialists that knowing as they did that the measure originated with it, it was somewhat presumptuous on their part to invite it to review its decision. We will give the words of the reply on this point. "In asking, that His Excellency the Governor General will withhold his assent from the Bill, the memorialists are, in fact asking His Excellency, not merely to disapprove a Bill which has been passed in the usual manner by the Lieutenant Governor and by the Bengal Legislature, but to set aside a decision deliberately adopted by the Government of India." What an audacious prayer did the memorialists prefer! They ventured to ask the head of the Government to disapprove a measure or set aside a decision deliberately adopted by the Government of India! Are we to understand from these observations that the Constitution is suspended in the matter of this Cess, that the subject should not exercise his right to appeal to the Ruler of the empire from an act, which was ostensibly an act, of the local Government, that once a decision is arrived at by the Government of India, no amount of facts or logic will swerve it an inch from the path it has already chosen? We cannot believe that this is the deliberate opinion of His Excellency the Viceroy, though unfortunately it has received his *imprimatur*. If the definition of the Indian Government be despotism tempered by public opinion, then the dictum laid down above completely upsets that theory. In his many public utterances Lord Lytton has maintained an altogether different position. His Lordship is anxious to govern the country in unison with the feelings, sentiments and wishes of the people, but the opinion we have quoted above indicates a most intolerant disposition, which so far as we understand his character is foreign to him. If the people, when they feel aggrieved by any measure, whether emanating from the Local Government or the Government of India, are not to appeal to the responsible Ruler of the land, what are they to do, and where are they to go to? Surely Lord Lytton would not burke the right of petitioning which the meanest subject of the British empire possesses. His Lordship has inaugurated the new Imperial era in India, and we cannot believe that he would make it synonymous with the abolition of the right of petitioning. And yet the reply to the British Indian Association comes in his name, and the people cannot but hold him responsible for it. His high personal character cannot invalidate the mischief of such a grave official declaration. It may be as we are inclined to think that the reply has emanated from the small official clique, which is in the ascendant at the present moment, but the welfare of the empire hangs upon the Viceroy, and if His Lordship allows his generous nature and high principles to be overridden by a clique, what hope of redress have the people? Following the example of the Governor General the Secretary of State may say that he too has approved of the measure, and that it would be impertinent on the part of any body of memorialists to approach him on the subject. In that case farewell to the boasted privilege of the British subject, the right of petitioning or laying his grievances before the responsible rulers of the land.

Nevertheless we are told His Excellency the Governor General has given to the present memorial his "careful consideration," and the result of that consideration is that "further discussion of the arguments of the memorialists is unnecessary, because there is nothing in the arguments which have now been brought forward, which has not been urged against the imposition of the road cess, against the imposition of the income tax in Bengal," though the memorialists have distinctly pointed out that there is no fair analogy between the Road Cess, the Income tax, and the Public Works Cess. On the contrary we read that "the Viceroy and Governor General shares the regret expressed by His Honor the Lieutenant Governor that the British Indian Association should have thought fit again to bring against the Government the charge of deliberately determining to commit a breach of faith with the people of Bengal. His Excellency in Council agrees with the Lieutenant Governor that "such charges as these ought not to be lightly made." Here the cat is out of the bag. It is no longer the Governor General, but the Governor General *in Council*, though under the Indian Councils' Act the Governor General *in Council* has nothing to do with the sanctioning or vetoing of the acts of the local Legislature. As for the remark that the charge of breach of faith should not be lightly made, we do not believe that it was "lightly made." Out of the fulness of the heart the mouth speaketh. The opinion which the memorialists took the liberty to express was an honest and profound conviction, and are they to be blamed for giving expression to it? Lord Lytton wants the day-light and not twilight of public opinion, and yet the memorialists are rebuked for laying bare their heart. The Government is all-powerful; it may stifle a free expression of opinion, if it likes, but can a conviction be less strong because it is concealed from fear? It would have been wise if the Government had pointed out wherein the conviction of the memorialists was wrong, instead of summarily condemning it as improper.

The reply then touches upon the financial position of Bengal. The memorialists had pointed out that the Lieutenant Governor had excluded the receipts from three such prolific sources as salt, customs and opium, which together yield in Bengal about seven crores of rupees. In reply the memorialists are told, that "it is true that the salt duty in Bengal is higher than that levied in other provinces, and the Governor General in Council would gladly see it reduced whenever financial considerations may allow." Again, the Governor General *in Council*, but let that pass. But the memorialists do not want a reduction of the salt tax; on the contrary they have no objection to an addition to it, and yet they are informed that the Government of India would be "glad to see it reduced." In other words the Government of India is willing to redress a grievance which does not exist, but would not remedy the grievance really complained of. Then it is stated that "there are obviously no grounds on which the whole of the customs revenue collected in Calcutta can be credited to Bengal." Now the memorialists did not claim the whole of the customs revenue for Bengal; they simply wanted that the province should be credited with its legitimate proportion, but the Government of India does not notice that point. As for opium it is observed that "in regard to the opium revenue, not only is none of it paid by the people of Bengal, but the proportion of the drug is notoriously a source of great advantage to them." We do not deny that the opium cultivators derive advantage from the cultivation of the drug, but the question is that if an excise duty were levied, and the cultivation thrown open to the public, would not the people gain more? The share of the profits, which they would have obtained, if the monopoly had not been maintained, now goes to the coffers of the State, and that we consider a direct contribution of the people of Bengal.

The real point urged by the memorialists has however been overlooked by the Government of India. It is this that Bengal already yields more than its fair share of contribution to the imperial exchequer, and such being the case the people of Bengal have a right to complain, when they are saddled with a new tax in violation of what they are taught to regard as their Magna Charta. In the letter of the Government of India to the Lieutenant Governor of Bengal it is remarked: "If the arguments which are now urged, and which have been repeatedly refuted, were to be admitted, it is hardly too much to say that no fresh taxation, which in any way touched the landholders of Bengal, could be imposed by the Britsh Government. If such taxes as the Income tax and cesses for works of local utility cannot be imposed, it would be difficult to specify any taxes which would not be liable to similar objections, and we should be brought to the conclusion that in consequence of an arrangement made with the zemindars of Bengal nearly a century ago—an arrangement it must be added which now leads to the annual loss by the State of several millions sterling of revenue—the Government must virtually abandon the right to levy fresh taxation in the province which is naturally richer, and which is far less heavily taxed than any province of the Empire." Now the Government of India assumes in the above that the landholders of Bengal alone should be taxed for the purposes of the State, and it is against this arbitrary assumption they protest. They do not ask to be exempted from any general tax which may be imposed; they are quite willing to contribute their share in common with the rest of the community, and they have said so repeatedly. But the Government of India seems to think that because a Permanent Settlement has been concluded in Bengal, therefore the class who have benefited by it should alone be brought under additional taxation, though such a proceeding would lay the axe at the very root of the Settlement. This is neither fair nor just. The landholders make the necessary compensation by contributions to indirect taxes, as the far-seeing authors of the Permanent Settlement had anticipated and as the Secretary of State admits, and if new taxes are to be raised, why should not all classes be called upon to pay equally? They want even-handed justice, but the Government of India does not seem to be willing to grant it. And this is the *gravamen* of their complaint.

## JUDICIAL INDEPENDENCE.

THE FULLER CASE has gone much beyond its narrow shell. It is no longer a question of law as applied to the case by Mr. Leeds, but the all-important question of judicial independence. This is the view which Sir James Stephen takes in a letter to the *Times* on the subject. He puts the question in this form—has the Viceroy in Council a right, under any circumstances, to censure publicly any judicial act done by a High Court? Sir James Stephen thus answers the question:

"Independence" is an ambiguous word. It may mean integrity on the part of the Judge; it may mean the exemption of the Judge from all censure in all cases in order that his integrity may not be attacked. In the first sense of the word the independence of the Judges is of course *articulus stantis aut cadentis imperii*. In the second sense it is only a means to an end, good or bad; according to the degree in which it promotes that end. The proposition "Indian Judges should be just," and the proposition "In order that Indian Judges may be just, it is expedient that the Viceroy in Council should under no circumstances whatever be permitted to censure their judicial conduct" have no necessary connexion. In order to connect them, a third proposition is wanted, which may be stated thus:—"Fear of displeasing the Viceroy in Council is likely to make Indian Judges unjust, so that it is expedient that he shall never in any circumstances whatever be permitted to express displeasure at their conduct."

It appears to me that the adoption of any such proposition as an official rule solemnly laid down by the Secretary of State in Council would be disastrous.

Subserviency to the Viceroy in Council is very far indeed from being a fault to which Indian Judges are prone. Of their general conduct it is enough to say that it is in all respects worthy of English Judges. Higher praise, of course, could not be given, but in so large a body occasional cases of misconduct must occur, and when they do, they are due to temptations with which the influence of the Government has nothing to do. In some cases the Indian climate is an all but irresistible temptation to idleness. In others it keeps the nerves in a state of continual restless irritation. In a small community where every member of the governing race knows every other, and where all questions are debated with an eagerness unknown in England, Judges may be tempted to become partisans to allow their minds to be warped by personal or political sympathies, and to introduce into their judgments language not only unbecoming in itself, but exceedingly dangerous as regards its effect on the native population. I have known language used by an advocate, now dead, in an Indian High Court which, if sanctioned or countenanced by the Bench, might have caused an insurrection. An indiscreet Judge might easily compare the value of European and native evidence in a way which would make natives believe that no justice was to be had from him, or he might, if so disposed, erect himself into a sort of censor of the character and conduct, official and otherwise, of all the members of a small European community. Moreover, the judgments of Indian Courts have an importance which rarely attaches to the judgments of an English Court. I could mention judgments which threw doubts on the titles to many thousand estates, which practically bastardized large and influential classes of society, which rendered doubtful the validity of Acts on which depended important branches of the Government, and which led Native States to suppose that the Government of India had defrauded them. These judgments and others of the same sort are pronounced by men, some of whom no doubt would be worthy of a seat on any Bench, but of whom the majority have had no legal education whatever, while many of those who have had such an education are not in any way intrinsically superior to the common run of English County Court Judges, while they are much younger, have less general experience of life, and are under none of the restraints to which English Judges of every rank are continually subjected."

It will be seen from the above that Sir James Stephen goes much further than even the Government of India or the Secretary of State. Neither the Government of India nor the Secretary of State would interfere with a judicial decision; they justify the Fuller Resolution, because as they contend and we believe rightly, the opinion of Government was not expressed upon a

judicial decision of the High Court. The Court had made a report in its executive or ministerial capacity, and the Government had criticised that report in its executive capacity. But Sir James Stephen does not make this distinction between the judicial and ministerial acts of the High Court. He plainly says that the Government should sit in judgment upon the judicial decisions of the High Court. He does not like that the Judges in India should pass decisions at variance with the views of the Executive Government, and therefore wishes that the Government should have control over them. He gives this as his reason for his strange opinion:

"The independence of the English Judges does not include an immunity from censure. On the contrary, they are criticized in the most unsparing manner by the Bar, the Press, and Parliament; and it is the existence of this criticism which enables us to dispense with criticism of any other kind. In India the choice practically lies between an entire absence of all criticism whatever and the permission of official criticism. The Legislative Council cannot discuss anything except the laws laid before it. As the High Court Judges are almost without an exception Civilians, or barristers sent out from England, their connexion with the Bar is far weaker than it is here, and the Bar itself is, for many reasons, very much less influential. The Press is certainly eager and active enough, but in India there are no representative institutions to give effect to public opinion. The Indian Press, accordingly, is absolutely powerless (except in which it can influence the English Press and so attract the attention of Parliament) unless it addresses itself to the Indian authorities; and if those authorities are themselves rendered powerless, the Indian Press has to fire with blank cartridge. The Fuller case supplies a pointed illustration of this. But for the remarks made in a native paper, translated for the information of the Government, the case would never have been heard of at all. Debar the Government from criticizing the Judges, and newspaper criticism upon them becomes unimportant."

But Indian Judges are amenable to the control of Parliament. If the Indian Press is active, Parliament, if it chooses, can give effect to its opinions. It is therefore not correct to say that the Indian Judges enjoy a perfect immunity from censure. The absence of representative institutions in India is certainly a matter of regret, but British India forms a component part of the British Empire, and there is nothing to prevent Parliament from taking notice of any lapses on the part of the Judges. Sir James remarks, "in my own observation in India several cases occurred which convinced me that a Judge is no more to be trusted with practical irresponsibility than any other man, and that it is absolutely necessary that power to reprove any abuse of judicial authority should be vested in some one; but for obvious reasons I do not wish to go into particulars." Now this remark does not apply to the subordinate Judges, for they are doubly responsible, firstly they are responsible to the High Court, and secondly to the Government. As regards the Judges of the High Court, they are removable at the pleasure of the Crown, but this certainly does not imply an immunity from all control. The Governor General ought to have the right to report, but not to condemn the Judges publicly. Sir James Stephens sneeringly refers to the collisions, into which the late Supreme Court in Calcutta on its first establishment came with Warren Hastings, and the same in Bombay with Sir John Malcolm, but he does not mention that in both cases the Court stood up as the champion of the people. There have been other cases, though not of equal prominence, but whenever there has been a strong man at the head of the Court, the Government has been obliged to draw in its horns. None perhaps more bravely defended the position of the Court than Sir Barnes Peacock. Sir Barnes would not yield an inch, and he generally carried the day. A brother Judge had applied to Government for leave without going through the Chief Justice, and the Government had granted his application, but Sir Barnes protested, and the Government cancelled its order and told the Judge to come through the Chief Justice, and this was done. The Government had asked for the opinion of the Court extra-judicially in a Sylhet case, just as it did in the Fuller case, but Sir Barnes refused to express the opinion solicited in such an irregular manner, and the Government had to give in. But the Judges are not always so strong as Sir Barnes was, and sometimes it was believed Judges tempered their judgments according to the supposed views of Government. Whether this belief was correct or not, it was we must confess largely shared in. On the other hand some Judges have it is believed suffered for their persistent independence. Mr. Phear's fate is a notable instance. A more fearless and independent Judge we believe never sat upon the bench of the High Court, and yet his claims to promotion were steadily ignored. Rightly or wrongly it was believed that Mr. Phear lost the Chief Justiceship of the North West High Court, and also temporarily the chiefship of the Calcutta Court, because he was considered too independent. Now when such is the feeling, will the doctrine, which Sir James Stephen advocates, if enforced, conduce to judicial independence? In this country the independence of the bench is of the first importance. Here the Government is despotic, and the force of public opinion *nil*; the Judges of the High Court are consequently looked up to as the guardians of the liberty and rights of the subject, and if their independence goes, the people will lose a dearly cherished source of protection.

Sir James Stephen specifies cases of "extreme necessity" in which the Government of India should interfere with Judges of the HighCourt. He says, "I think that if a High Court Judge spoke judicially in terms of sarcasm and contempt of the laws which he administered, and of the Government which enacts them, or if he allowed himself a partisan on a political question, or if he allowed his personal feelings towards litigants or practitioners to influence his public treatment of them, or if he conducted himself in the office so indiscreetly as to incur a suspicion of being corrupt, or if he exercised his powers of superintendence oppressively, he ought to be reproved, and, if necessary, dismissed by Her Majesty, on the representation of the Viceroy in Council. If the power of reproof is not intrusted to the Viceroy, what is the remedy in such cases? If it is, what is the objections to the despatch?" Here two propositions are involved. First that the Crown should rebuke or dismiss a Judge of the High Court on good and valid reasons on the representation of the Governor General in Council; second that the Viceroy in Council should have the power to administer a reproof directly for a lapse in a judicial decision. The first we think is self-evident: the Viceroy as the representative of the Crown ought to have the right to report the Judge, but the second does not follow as a matter of course. It is not at all necessary for the enforcement of judicial responsibility that the Viceroy in Council should have the right to administer a reproof to the Judges for any faults in their judicial decisions—we make a distinction between judicial decisions and ministerial acts. If the Viceroy exercise this power, then farewell to judicial independence. If the High Court goes wrong in a judicial matter, an appeal lies to the Judicial Committee of the Privy Council, and it cannot therefore be pretended that the Court is irresponsible in its judicial decisions. As for executive matters we hold as we have said before the Court is subject to the control of the Government of India. If Sir James had made this distinction, we would have had no reason to quarrel with him. But he has been too sweeping in his remarks. He has taken a position, which is fatal to the independence of the bench, and which has naturally filled the Indian public with alarm. The High Court represents the "reign of law," whereas the Executive Government would often push vigour beyond the law. The two are incompatible with each other, and if the executive Government be vested with control over judicial decisions, then there can be no judicial independence, and the interests of justice would necessarily suffer.

## TURKISH ARMENIA.

RUSSIA, as might be expected, has attacked Turkey with great force in Asia. She knows well that no other European Power than England cares for the Turkish provinces in Asia. In Europe if the safety of Constantinople be threatened, the Great European Powers cannot keep quiet. But with all her resources we do not think that Russia can spare a very large body of troops for offensive operations in Asia Minor. We suppose that Russia must keep up very large forces for the protection of her Prussian frontier, in Poland, in the Galician frontier, towards the Danube, and in the Caucasus, and she must treble or quadruple her forces in Central Asia; while if she contemplates an invasion of Bulgaria, she must employ large forces for the purpose. This allowed, it is apparent that, for the invasion of such a home of wild warriors as Asiatic Turkey, she can hardly be said to possess an overwhelming force. From the enquiries we have made we have received the following particulars of the comparative strength of Russia and Turkey for active operations is Asia Minor. The Russian Army of the Caucasus consists of 7 divisions of infantry, *viz.*, 1 division of grenadiers of the Caucasus and 6 of the line (namely, the 16th, 20th, 21st. 38th, 39th, and 41st), and 1 brigade of Chasseurs of the Caucasus. Each division has 2 brigades, each brigade 2 regiments of 4 battalions and a war strength of 900 bayonets or 108,000 in all. There is 1 division of cavalry of 2 brigades of 2 regiments of 4 squadrons of 150, or 2,500 sabres. The artillery consists of 42 batteries, of which 12 are 9-pounders, 14 are 4-pounders, 3 are mitrailleuse, and 4 are mountain guns; and these have a total in war of 336 guns, 252 officers, 10,298 rank and file. The engineers consist of 2 battalion, of a total of 58 officers and 2,020 men. There are besides in the Caucasus the following:—

| | | |
|---|---|---|
| Local battalions | ... | 47,000 |
| Local depots | ... | 36,000 |

The Cossacks of the Kooban have war strength of 30 regiments of 6 sotnias of 100 sabres = 18,000 sabres, and 5 batteries of horse artillery of 8 guns each, or 40 guns and about 1,200 men. The Cossacks of the Terek have 15 regiments and 2 batteries of the same strength each. Thus the total strength of the troops in the Caucasus is as follows:

| *Regulars* | | *Men.* | | *Men* |
|---|---|---|---|---|
| Infantry | ... | 108,000 | | |
| Cavalry | ... | 2,500 | | |
| Artillery | .. | 10,300 | 336 guns | |
| Engineers | .. | 2,000 | | |
| | | | | 122,800 |
| Local Battalions | ... | ... | | 47,000 |
| ,, Depots | ... | ... | | 36,000 |
| Cossack Cavalry | ... | ... | | 27,000 |
| ,, Artillery | ... | ... | 56 guns | 1,700 |
| Irregular Militia | ... | ... | | 4,000 |
| | | TOTAL | ... | 238500, 392, guns. |

But at the Caucasus there are not less than 300,000 Mahomedans, who are all bitterly hostile to the Russians, and who certainly could not be kept under with a less force than say 100,000 men. This would leave 140,000 men of the Caucasian army only available, so that 30,000 men must be provided from elsewhere. The strength of Turkey may be thus estimated. The army is raised by conscription among the Mahomedans, every man of whom, with certain exceptions, is bound to serve 20 years, *viz.*, 6 years in the (Nizam) active army, 3 years in the (Ru-Idatyal) 1st Reserve, 3 years in the (Rudeef) 2nd Reserve, and 8 years in the (Hiyade) Landsturm. It is divided into regulars, irregulars, and auxiliaries. The new organisation which was promulgated in 1869 was to have taken to the end of 1878 to complete, when the total force was calculated at 700,000 men. The regulars are divided into 7 corps (ordoos), with only three of which, however, we need at present concern ourselves, *viz*:—

The I Vth or Corps of Anatolia, with its head-quarters at Erzronm
,, Vth ,, Syria, ,, Damascus,
,, VIth ,, Irak, ,, Bagdad.

Each corps consists in round numbers of about 30,000 men. To these must be added the

1st Reserve, 14,000 men.
2nd ,, 10,000 ,,
3rd ,, 10,000 ,,
Besides ... 4,000 } gendarmes who are quite equal to the
Total 68,000 } regulars.

The irregulars may be estimated as follows:

*Lazees*, 10,000.—This number is probably much smaller than could be raised. They would be drawn from the mountains of Lazistan, which border on the coast of the Black Sea and are comprised in the province Vilayet of Trebizond, the population of which is given at 938,140 souls. The Lazees have already fought with great distinction against the Russians in the defence of the fortresses of Akhiska, Akhalzah, and Kars, and they are a very hardy and brave race.

*Circassians,* 15,000.—Over 100,000 of these people emigrated from the Caucasus after its conquest by the Russians. They are splendid materiel, quite equal to the Russians and superior to the Cossacks of the Kooban and Terek, and all are imbued with an undying hatred of Russia.

*Koords,* 30,000.—Exact information of the Koords it is difficult to obtain, but there can be very little doubt that this number represents but a small portion of the fighting strength of a race, who extend in the mountains for nearly 10. longitude, and every man of whom is a warrior.

*Arabs,* 30,000.—The number of these people is also much a matter of conjecture, but of some pretty good information exists, it is believed that of these tribes Montefill tribe alone can muster 10,000, Benidam 10,000, Delun 5,000, and the Anejeh probably 20,000, and that there are numerous other tribes, which can bring a large number of men into the field. The Arabs no doubt hate the Turks, but their religion forms an indissoluble link between them, and we are informed that a very strong feeling exists amongst the Arabs to be led against the would-be destroyers of their religion, as they regard the Russians in that light.

*Osmanlees,* 10,000.—This would include all the men who were available after the ranks of the Nizam were filled, and is undoubtedly a very low estimate. The vilayet provinces from which these men would be drawn would consist of the following :—

| | | | |
|---|---|---|---|
| Trebizond, | population | ... | 93,8140 souls. |
| Sivas | ,, | .. | 571.808 ,, |
| Erzroum | ,, | .. | 792,104 ,, |
| Diarbekir | ,, | .. | 708,288 ,, |
| Aleppo | ,, | ... | 535,714 ,, |
| Syria | ,, | ... | 518,750 ,, |
| Bagdad | ,, | ... | 2,000,000 ,, |
| | TOTAL | .. | 6,064,804souls. |

The above is the Turkish estimate. The total number of Turkish disciplined troops in the Pashalic of Erzroom is about 70,000 men. The irregular troops, we are told, are all splendid fighting materiel, only requiring some organisation to make them very formidable. Asiatic Turkey is indeed a mine of warriors: of no country in Asia, and perhaps in the world, can it be said with greater truth that all her men are strong, enduring, and brave; in none could the fire of religious enthusiasm be easier lit. If we add all that can be raised from these sources, we have a force no invader can ignore, and this without following the exaggerated estimate of their numbers given by the Turks themselves. On the contrary, the following estimate of their number is placed at the very lowest, and the results are as follows : Circassian tribes, 15,000, all burning with a fierce hatred of the Muscow; Koords, 30,000; Arabs, 30,000; Lazees and mountaineers, 10,000; Osmanlees, 10,000;—total, 95,000. To these must be added two other sources of aid which the Turks possess ere they need turn to foreign assistance. The Corps d' Armee of Aleppo in such a campaign would scarcely be threatened, and could therefore well spare 20,000 men, while that of Bagdad might spare 10,000. Thus the total fighting strength may be calculated at—

| | | |
|---|---|---|
| Regulars | . | 100,000 |
| Irregulars | ... | 95,000 |

The only other element is Persia. If Persia joins Russia, the question is what force can she put into the field ?It is said that she cannot bring more than 50,000 and this without doubt is the outside force she is capable of putting into the field, though how long it could be maintained is another matter. These would be drawn principally, if not entirely, from the two provinces of Azarbaijan and Irak Agumee. The total strength, which the Azarbaijanees, could turn out has been variously estimated at from 40,000 to 60,000; the former being the actual number that they were enabled to assemble in a moment of great national danger,—that is to say in the war of 1826; and we think, therefore, it is not likely to exceed this last when the object of their mobilisation to assist the Russians, whom every Persian must regard in his heart of heart as but a concealed foe at the best. And it is evident that the whole of this number could not be sent out of the province. Tabreez must be held, and some arrangement must be made to protect it from the nomad tribes, who number one-fourth of the total population. Bearing this in mind, it must be considered a liberal estimate if we allow that 30,000 men might be withdrawn to co-operate with Russia. The Army of Irak Agumee was estimated by Colonel Passinne, at a time when more was done to develop the military strength of the country than is now the case, at 12,000 men. To these 5,000 might be contributed by the province of Khamseh, perhaps 10,000 from Mazanduran, and 5,000 from Geelan; total 32,000 This we know, that on a late occasion, when the Shah was particularly anxious to make a show at a grand review at Teheran, not more than 12,000 could be mustered. Again, Teheran cannot be left undefended, and some arrangement must be made to protect the country, if only from marauders. The men, whom Persia might bring into the field, could thus have little effect on the campaign. It must be remembered that the Turks could still mass 65,000 infinitely superior troops at Bagdad, if the Persians attempted a diversion in that direction; and if they sent their army to swell the Russian forces in Armenia, the same 65,000 making a demonstration on Kirmanshah from Bagdad, or on Ispahan from Shoostur, would, we imagine, very soon necessitate their recall. Such is the comparative fighting strength of Russia and Turkey in Asia Minor. Events will show how it will stand in active operations.

## THE EASTERN QUESTION.

THE indefatigable Mr. Long has been busy of late about the Eastern Question; from Russian proverbs he has plunged into Russian politics. He lately read a paper at the East Indian Association on the Eastern Question, in which he argued that that question means for England a Russo-Indian question. This is quite true. If England is now more an Asiatic than a European power as Lord Beaconsfield says, she cannot be an idle spectator of Russian progress in Asia. In the beginning of her struggle in India she beat France out of it, and though now and then she has met with jealousy from some European power or other, this is for the first time she meets face to face a mighty European rival, whose object is not so much trade as dominion, who is coming down from the North like a torrent and will brook no opposition. England is certainly all-powerful within the Indian continent, but it cannot be denied that the advance of Russia in Central Asia is not regarded by many natives as a passing event. The people of India as a body are certainly loyal to the core; they know well that they have everything to lose and nothing to gain by a change of masters; nevertheless, there are malcontents amongst them who may wish to see how England which has broken down the necks of Oriental princes will deal with a rival European power in the immediate neighbourhood of her Indian Empire. Russia on the border of British India may be a standing menace to her, and hence it is we believe that English and British Indian statesmen are desirous to secure a neutral zone between the Asiatic dominions of the two countries. But Mr. Long entirely loses sight of this important point. He is a good man too easily taken in by good words, and once his good feeling is enlisted on one side of a question, it is difficult to dislodge him from that position. Since his departure from India he has spent several years in Russia; he has seen much of Russian life, he has mixed freely with the Russian peasantry; he has been pleased to see many good points in their character; he almost worships the Emperor Alexander for his noble policy of the emancipation of Russian serfs, and has accordingly, it appears, come to the conclusion that after all Russia can't be bad. Unhappily he confounds Russia At Home with Russia Abroad and the Czar with his surroundings. Russia At Home may be all Mr. Long believes of her or attributes to her, but is Russia Abroad the same? Has not Russia in Central Asia waded her way through pools of blood? Has she not made intrigue, treachery and butchery her means of diplomacy and warfare? Has she not shown the utmost disregard of the laws of humanity and civilization in extending her sway to Asia? However peace-loving the Emperor may be, His Majesty, it is notorious, is powerless against the Empress and his court panting for military glory and for extension of territory. Mr. Long has seen only one side of the sheld and refuses to look at the other. Monarch for Monarch Emperor Alexander is certainly one of the wisest and best of kings, but his will, however paradoxical it may sound, is not supreme. We cannot for a moment believe that His Majesty gave his sanction to those barbarous and cruel deeds regardless of sex and age with which his generals and captains planted the Russian standard in Central Asia. It is because Russia At Home and Russia Abroad differ so much that we join issue with Mr. Long respecting the Eastern Question. Our reverend friend asks: "Is India to be endangered for Turkey? Are we to sacrifice the substance for the shadow? England's interests in India demand that, while defending with the utmost vigour the above positions, she should maintain towards Russia a conciliatory tone, on the ground that the progress and civilization of Asia depend very much on both Empires working out, each in its own sphere, the suppression of feudalism, fanaticism, and all those evils under which 600,000,000 have groaned for many ages, and acting on a policy that the points in which they agree are vastly more important than those in which they differ." We readily admit that Russia is a civilizing power in a certain sense, and that her interference with the institutions of the countries she conquers does not extend beyond the assertion of her political supremacy, but there can be no comparison between the civilizing influence of England and Russia. Besides, we are not one of those who assent to the doctrine of higher morality cancelling the lower. To say that a civilised nation has a right to put an end to the liberty of less civilized ones on the pretext of extending higher civilization to the other is simply to assert the robber's right masked in a cloak of seeming virtue. As the Bengali proverb has it, kill the cow and then give away shoes in charity made of her hide! Mr. Long seems to have no sympathy with the Mahomedans. He denounces Turkey and says :

"A war with Russia would not save Turkey, but would rather hasten its dissolution, from the inherent rapid decay to which this Empire is sinking in spite of all doctoring; while serious injury might be inflicted on India, since Russia, being a neighbour on our frontier, through her influence over Persia and Afghanistan, might inflict great damage, requiring, according to military authorities, an increase of 40,000 European soldiers, which implies increased taxation, and, consequently, increased discontent. The day is inevitable when the Russian and English Empires shall be conterminous, and when the presence of a first-class European State on our border will have power at any time to fan into a flame those elements of spasmodic disaffection which of necessity are ever smouldering in any country won and held, as India was and is, by an alien sword. Few of the Moslems of India know much about Turkey. Their co-religionists, the Persians, do, and always have sympathized with Russia against Turkey, while the Afghans are at present hostile to England. England in the Crimean war shed her blood and treasure for Turkey; but the Moslems of India were the first to rise in the Mutiny in 1857. Can they be trusted now? Will not the case of Russia be like ours in India? The torrent of conquest will flow on until by expansion it has spent its force, and spreads out, calm and fertilizing, over a wide surface. The torrent may be divided, but is not easily embanked. England has reached the consolidating stage; Russia is in that of extension. She is now on the inclined plane in Central Asia, on her way to Eastern Asia, and it is difficult to stop. England, while maintaining a watchful policy and strongly armed for defence, should regard Russia's inevitable expansion in Central and Eastern Asia with kindly feelings. We cannot stop Russia's advances if we would, and we ought not if we could. She occupies ground which we could not occupy. Russia is ambitious—so has England been; but England is in the stage of consolidating her conquests, Russia of extending them—a process to which before long financial reasons and internal revolutions will put a check. Asia Minor must fall under the hands of some European Power in order to the development of her great material resources. In the hands of Russia it would not be on the way to India, but rather a division from it.

In other words Mr. Long wishes that England should enter into a conspiracy with Russia to break down the fabric of Mahomedan power. This is an advice which we little expected from such a benevolent and disinterested emissary of

Christianity. Mr. Long doubtless believes what he says, but we submit it cannot be consistent with the precepts of his own religion to covet and appropriate another man's property on the pretext of improving it. Suppose the tables were turned, and Germany, a more powerful nation than Russia were to say that the country of the Czar was less civilised than the father-land of the Germans, and proposed the spoliation of the Russian territory on the pretence of improvement, what would be the answer of the Muscovite? What Mr. Long insinuates we believe Russia did actually propose to England not quite two years back, but the latter, if we are informed aright, indignantly repelled the idea. We heard that Russia proposed to England the partition of Affganisthan between herself and England, but Her Majesty's Government would not entertain such an unrighteous proposal. The Ameer of Cabul has been a faithful ally of the British Indian Government and England would not consent to cut his throat. Russia does not scruple to have recourse to any tricks or strategems to encompass her end. But can any nation, jealous of its character, stoop to such means without forfeiting the good opinion of good men and true? Mr. Long's advocacy of Russian interests is doubtless conscientious, but the enthusiasm, with which he seeks the furtherance of those interests we do not hesitate to say is entirely misplaced. If England and Russia could be made to look at things through a common spectacle the result might be different. But as England prefers to follow the policy of truth and justice in her dealings with the native powers beyond the Indian frontier, we do not see how she can coalesce with Russia. It might be said that England's qualms of conscience have arisen because she has already secured a vast Empire in the East, but the dominion which Russia has acquired is by no means small or unimportant. If Russia be sincere she ought to consent to a neutral zone as originally proposed by Mr. Gladstone, but Mr. Long does not say one word whether that is practicable or not, and so long as Russia does not moderate her ambition and desist in her policy of aggression, we do not see how England can put perfect faith in her intentions and words.

## WHAT WAS THE PERMANENT SETTLEMENT?

What was the Permanent Settlement? Any man of plain common sense would, we are sure, answer this question by saying that the Permanent Settlement was that which the laws and regulations by which it was concluded defined and declared it to be. Now Regulation I. of 1793. commonly called the Permanent Settlement Regulation, says that the public revenue demandable by the State from "zemindars, independent talookdars, and other actual proprietors of land" shall be fixed for ever and in perpetuity. This means that the Permanent Settlement is a permanent fixation of the pecuniary claims of the Government upon the proprietors of land. But our contemporary of the *Statesman* has furnished us with a very queer and amusing definition of this most important administrative measure of the Government of Lord Cornwallis. He says: "It was this *khaurauj*, or State revenue from the land, the administration of which passed into the hands of the East India Company under the Dewanny Sunnuds of 1765. And it was this *khaurauj*, and nothing else, that the Company made over to the zemindars by the Permanent Settlement. What the State transferred to the zemindar was this *khaurauj*, and the price he agreed to pay for it was the perpetual annuity we are still receiving from him. The fatal error that was made was the declaring that transfer or sale of the *khaurauj* which made the zemindar the proprietor of the land." We have seen many reckless and insensate opinions expressed regarding the Permanent Settlement in our time and in times gone by. But this opinion of our good contemporary seems to be the most reckless and insensate of all. Our contemporary says that the authority for concluding the Permanent Settlement was derived by the Government of Lord Cornwallis from the Dewanny Sunnuds of 1765. But as these Sunnuds did not vest in the Company anything more than the right to administer the *Khiraj* or State revenue from the land, our contemporary ought to have hesitated before asserting that the Government of Lord Cornwallis, in concluding the Permanent Settlement, did anything for which they had no authority in the Sunnuds conferring upon their masters the Dewanny of Bengal, Behar and Orissa. For to say that the legislature of 1793 did something which they had no power to do, is to ignore the ordinary rules of legal interpretation, and to charge one of England's ablest and most conscientious Proconsuls in the East with an act of usurpation and grave moral and political perfidy. This is one point. Another point is, where does the *Statesman* find that the 'transfer or sale of the *Kheraj* made the Zamindar the proprietor of the land?" Does the Permanent Settlement Regulation anywhere say that it makes Zemindars 'proprietors of land' by transferring or selling to them the *kheraj* or State revenue from the land? Let the reader go through all the Sections, Articles and Clauses of Regulation I of 1793, and say if his perusal thereof leads him to the conclusion that the Regulation is a perfidious act of the legislature, which gives proprietary rights to people who had it not, by selling them the fiscal rights of the State—let him say whether his study of that Regulation convinces him that, under its provisions, the Zemindar's proprietary right is based solely and exclusively upon his purchase of the *kheraj* or State revenue from the land. We have carefully gone through this Regulation, but failed to find in it any provision or declaration to the effect that the Zemindars shall be held to be proprietors of the land—to have acquired proprietary rights in the soil—in consideration of their purchasing the *kheraj* due to the State. This is another point. There is a third point which deserves careful consideration, though it has been completely ignored by our contemporary. If the Dewanny Sunnuds of 1765 did not confer upon the East India Company any other right than that of simply administering the revenues of these provinces, and if the Permanent Settlement was, as intimated by the *Statesman*, concluded upon the authority of those Sunnuds, we should expect to find the Government of Lord Cornwallis carefully endeavouring to make that settlement a purely fiscal one, and to abstain from creating by its provisions rights and privileges which did not previously exist. Now a reference to the literature of the Permanent Settlement will make it clear to everybody that a careful inquiry into the rights and privileges of the Zemindars was made and completed by the East India Company and the Government of Lord Cornwallis before the conclusion of that Settlement. Our articles on 'Property in land' show that the Government of that time had no intention of creating rights in favor of the Zemindars, but was simply anxious to ascertain existing rights with the view of basing upon them a sound fiscal regulation. And the following extract from Mr. Shore's minute of 2nd April 1788 tells the very same story:—"The Court of Directors, in their general letter by the *swallow*, directed this Government to ascertain, as correctly as the nature of the subject would admit, the real jurisdictions, rights and privileges of Zemindars, talookdars, and jagheerdars, under the constitution, and customs, of the Mahomedan, or Hindoo Government; and what were the tributes, rents, and services, which they were bound to render, or perform, to the sovereign power; and in like manner, those from the talookdars; to their immediate leige lords the Zemindars; and by what rule, or standard, they were, or ought severally to be, regulated." This order of the Court of Directors was ably and faithfully carried out by Sir John Shore who made a most careful and diligent inquiry into the rights and privileges of the Zemindars, and embodied the results of his investigations in the remarkable minute we have quoted from. Whether the conclusions at which Mr. Shore arrived were correct or not, is a question which does not fall within the purpose and scope of this article. That question forms the subject of our articles on 'Property in land.' But apart from the correctness or otherwise of Sir John Shore's conclusions, the very fact of a searching inquiry having been instituted by the Government of Lord Cornwallis and completed by the ablest fiscal member of that Government makes it perfectly clear that the legislature of 1793 committed no arbitrary or unauthorized act when it described the Zemindars of Bengal "proprietors of the soil". It called these Zemindars proprietors of the soil, not because it thought it easy work to cut the Gordian knot, but because it felt convinced by the results of a long, laborious and careful inquiry that the proprietary right had belonged to them during the Mussulman *regime*. It created no right, but simply recorded a solemn recognition of the right which appeared to it already in existence. In the words of our contemporary, it did nothing besides "making over the *khiraj* to the Zemindars." And to say that it *created* proprietary rights in behalf of anybody is to ignore history and the Permanent Settlement. That Settlement was a purely fiscal measure, based upon rights and privileges which were proved to the Government of LordCornwallis to be already in existence. To say anything more would be to impute a most reckless and diabolical motive to the nobleman whose administration forms one of the brightest chapters in the history of British India.

## DISTRICT ROAD CESS FUND AND NATIVE ENGINEERS.

WHENEVER a new department is created jobbery is sure to set in. The hungry vultures are ready to pounce down and snatch away what they can. This has been eminently the case with the District Road Cess Fund. In the first place the Cess was imposed for local improvement, but the works were so designed and carried out, particularly during the late famine, that it was practically made to serve as a part of the provincial fund. Then again the Road Cess Committees were intended to be self-governing bodies, but the members were so selected that the Committees became to all intents and purposes solemn shams. At the time of the enforcement of the measure a circular of a District Magistrate was placed in our hands from which it appeared that that officer had actually instructed his deputies in charge of sub-divisions to send in the names of such zemindars only as might be relied upon for their docility. The Committees thus constituted with some exceptions here and there jobbed away the appointments at their disposal. In the first place the Magistrate has generally put in some pet deputy in charge of Road Cess Works, and perhaps unknown to Government has given him an extra allowance from Rs. 100 to Rs. 200 per mensem. No such extra allowance we believe is given to Deputy Collectors, who do municipal work. But the greatest jobbery has been committed in the bestowal of the appointment of Engineer. In five cases out of six the Europeans has been preferred to the native, and in not a few cases, officers of Government have been taken over, which has been doubly expensive, 1stly, by reason of increased pay given to them, and 2ndly, by reason of the contributions they must make towards leave and pensionary allowances. It was hoped that the Road Cess would open a new field to the native engineering talent, but the way in which the appointments were given away shewed that preferment under the Road Cess Department as in other departments has as usual gone by color and creed. Last year Sir Richard Temple in a mild way drew attention to the injustice done to the native alumni of the Civil Engineering College. but as usual with our Paragraph Government nothing more was done. Sir Richard it might be remembered laid great stress upon the claims of the Native Engineers, but in India action does not always follow words. We observe that the present Lieutenant Governor has directed his attention to this subject. In a circular published in a recent issue of the *Calcutta Gazette* we read that His Honor considers it "of very great importance to have a well organized system of establishments for carrying out district road cess works." "Some of the nominations by District Committees," His Honor remarks, "which have came up for the approval of Government have been of persons, who have not been up to the desired standard, though sometimes a good deal was to be said in their favour. The impossibility of Committees obtaining fully qualified engineer has led to such men not being summarily rejected, and to their being allowed a temporary employment." This we think is a pretty

broad hint that there has been an abuse of patronage. Of course His Honor would not be so rude as to say that bad men had been selected when good men could be had, but we hope His Honor does not believe that such appointments had been made because "fully qualified engineers" could not be had. And who are responsible for these appointments? Not the Committees, but the District Magistrates as Presidents. The Circular then runs as follows:

It is now possible to introduce an improved state of things, and Circular No. 37 of this day's date has intimated that tests will be more stringently applied than heretofore.

I am to observe that some progress has been made in giving practical training to students of the Civil Engineering classes of the Presidency College who have passed examinations for the various classes of the Public Works Department. When they have completed the prescribed practical instructions, they will be attached temporarily to the Public Works Department, where they will continue to be trained and to acquire practical knowledge.

The Lieutenant-Governor hopes that in this way District Committees will be able to obtain duly qualified men at a salary which they can afford; for as these men will not be on the Government pension list, it will be unnecessary to grant them salaries sufficient to cover the contributions which Government servants accepting local employment have to make towards their leave allowances and pension.

Some of the salaries now given by District Committees are larger than need be. This has partly been due to the necessity of making allowances to those Government officers who have taken employment under Committees, in order to cover their contribution to pension, and the scale of remuneration which has thus arisen seems to have had some effect on the scale of salaries generally. The Lieutenant-Governor trusts that salaries will eventually come to a more reasonable level, when the difficulty which has been noticed above has been removed, and will be more commensurate with the engineers' responsibilities than is now the case in some instances.

In conclusion, I am to remark that, when submitting the names of temporary employes under Rule X of the Notification No. 319 of 29th June 1875, Committees sometimes think it sufficient to report that the persons concerned have given satisfaction during the year. Manifestly such a recommendation may be of a very qualified nature, as the duties performed may have been of a very ordinary description, affording little or no real test of the person's qualification. The Lieutenant-Governor considers that Committees ought to have a better stamp of men than can be passed under such a test, and permanent employment will not be sanctioned on other than well established evidence of fitness and capability. A very stringent application of these principles might bear very severely on old servants of Committees, and to such His Honor will afford such consideration as may be compatible with the public interests and the maintenance of a proper standard of efficiency.

This is as it should be. The prospects of the students of the Civil Engineering class are now very gloomy. When the class or College was first opened, appointments were guaranteed to passed students. But that guarantee has been since withdrawn. Then again it was hoped that as the Public Works Department was a large department, the young men coming out of the Civil Engineering College or class would be absorbed in it, but the Cooper's Hill College has been annually circumscribing the field of employment for them. The Government has guaranteed appointments to Cooper's Hill men, and they must be provided first. Thus the higher appointments have been as it were reserved for them. An opening was afforded by the creation of the Road Cess Engineerships, but these too have been for the most part given away to Europeans. And yet we are told that the Natives complain. We do not blame the Government, but it cannot repudiate its responsibility. We admit that it would not have been quite politic for Government to summarily reject the nominations made by the Cess Committees, in other words by the Presidents acting on their behalf, but if the Government had been firm and told the Committees as it is now telling them that their nominations would be disallowed unless proper care were taken, we feel persuaded that there would not have been the amount of jobbery, which it now so justly condemns. Of couse the present Lieutenant Governor is not responsible for the existing state of things, but now that His Honor has directed his attention to the subject, we hope he will not relax it. We will anxiously watch the practical working of the circular under notice.

## CHURCH AND STATE.

### II.

Mr. Routledge, in his recent work on "Popular Progress in England," discusses the question of the necessity of an Established Church in that country in the seventeenth century. He says:—

"First the nation as a whole was not sufficiently advanced in the knowledge of Christianity to afford to dispense with an open recognition of that faith as the faith of England. Some rule must be laid down with the concurrence of learned men, and men in power, for the guidance of the masses of the people who could not possibly fathom for themselves the mysteries involved in a faith which challenged inquiry and yet was beyond reason, and who needed to be instructed even in the simplicities of the faith. Children would be born, young persons would seek each other in marriage, many would need the solace of religion in their last hours, and many too would find, or fail to find, solace in affliction in the sacred words, which, in some form and fashion, would have to be spoken over the grave whether there was an Established Church or not. It is difficult to see how this national responsibility could have been evaded at that time. Secondly, a network of instruction was needed, and no power other than that of the State could undertake to weave that network on any given principle. It would have been the wildest folly at such a period to leave each town to form a standard of its own—to have, say, Chichester Unitarian; Portsmouth Catholic; and Canterbury of the Anglican Church. Yet that principle might, and to some extent certainly would have been the result of the nation refusing to commit itself to an Established Church. Thirdly, if it was, and we can hardly doubt that it was, necessary to have an educated man and his family set down to every certain area, or population, it is very difficult, to the present writer at all events, to see what better machinery than a Establishment could have been provided for the purpose. An educated squire might have become a despot from seeing that he was so far in advance of his neighbors. An educated clergyman could only become so in defiance of his principles; and that those principles were often strong enough to render defiance of them impossible, our whole social history attests. It is, therefore, accepted here as a simple axiom that an Establishment was a necessity at that time."

We do not agree in all that is here stated by Mr. Routledge. But assuming these views to be correct we have little doubt that the present structure of English society is so far different from the structure of English society in the seventeenth century that it would be absurd to say that the reasons which justified an Established Church 200 years ago can be made to justify an Established Church at the present moment. And we have still less doubt that the circumstances which might have made an Established Church an English necessity in the seventeenth century are altogether absent in the case of the State Church in India. In the first place, the very idea of an English national faith in India is an absurdity; for India is not the home of the English people, and Indian nationality can never mean English nationality. Englishmen do not constitute an organic portion of the Indian population; and the question of religious faith, as an organic institution of society, cannot therefore legitimately arise in connection with Englishmen in India. Englishmen come to this country as 'pilgrims,' or sojourners, for no other purpose than that of making money. They do not come here to acquire education or to develop their national faith. And if the formation or development of religious faith forms no part of the purpose of English life in India, it should be perfectly clear that a State Church for Englishmen in this country cannot possibly mean either a national or an individual necessity. In the second place, it may be stated with reference to Mr. Routledge's third reason for the necessity of an Established Church in England in the seventeenth century that, it is based upon the necessity of having numerous centres of intellectual and spiritual influence for the formation of a great national life. But Englishmen have no national life in India; and the sort of life they do possess here seems to us to dispense with all necessity for the formation of numerous centres of moral and spiritual influence. They come here as birds of passage. They live here for purposes of gain. They remain scattered over a vast continent. And they are prevented by the very exigencies of their life in India either from settling down in large masses within limited areas or from attaining any thing like a fixity of residence at any particular place. Indeed they come here as birds of passage and fly about as birds of passage all through their stay in this country. Tom was yesterday at Dacca, to-day he is at Chuprah; to-morrow he will be at Jubbulpore. Such is English life in India. And to talk of the necessity of having so many centres of moral and spiritual influence for an infinitessimally small number of men leading an essentially migratory life and incapable of forming a society in the strictest sense of that word, is to talk so much plain absurdity and unmitigated nonsense. And for a Government to spend vast sums of money for the purpose of supplying the spiritual wants and forming the social life of such men is nothing short of trifling with the public resources of a large country, whose own true wants are so many in number and so pressing in their character.

But the fact that Englishmen have no social or national life to form in India is no proof that they can wholly dispense with the aid and ministrations of religion. As human beings they like other men possess the religious instinct; and the purpose of their life in India, however secular it may be, cannot be taken to be so very strong and engrossing as to be capable of entirely crushing their instinct of religion. But how is this instinct to be gratified if the State Church is abolished? The correct answer to this question can only be obtained by a consideration of the present state of English civilization. If the Established Church in England in the seventeenth century was a necessity because of the then state of English civilization, can it be said that the same necessity exists in the present state of English civilization? Certainly not. The present civilization of England is considerably in advance of her civilization in the seventeenth century. She is now far more rich, far more educated, far more intelligent and far more energetic than she had been in the days of her Stuart Kings. There has been in England, since the age of Charles II and James II, a marvellous increase and general distribution of the national wealth, a wide diffusion of education and intelligence, and a more national appreciation of truth and knowledge. It follows from this that Englishmen are now able to take better care of their own religion than they had been 200 years back. Men fitted to be ministers of religion can now be had in any numbers without the patronage of the State, and there is now enough wealth in the hands of the people to secure priests and clergymen without any pecuniary support from the Government. And things are much the same, if not better, in India. Englishmen in India are a highly educated class of people; and whether as Civilians, merchants, traders, planters, mill-owners, commission agents, professors, engineers, bankers, brokers or shopkeepers, they are all in a condition to maintain churches and clergymen out of their own private resources. Indeed, this is being actually done by a very large number of Europeans who do not belong to the Established Church. So the time seems to have come as well in England as in India when the supply of religious wants, like the supply of material wants, could be safely left to the free and unfettered action of economic laws, and when the State could conveniently retire from a position which in the present state of civilization is decidedly incorrect, and immoral. This is the scientific aspect of the question. It has also a moral and religious aspect of surpassing importance to those who are advocates of the Established Church in England and India. Intensity of feeling is the essence of religion, and the truest religious culture is obtained when the best feelings of humanity are moved and practically exercised. As man becomes truly benevolent when he performs acts of charity and loses much of his kindness of disposition when he suffers such acts to be performed, as they are performed in England, by Committees and Corporations, so his religious feelings, on the one hand, acquire strength and intensity when he himself looks to the supply of his religious wants, and on the other fade away into a mere sense of fashionable decency when his religion is thrust upon him by a cold and formal Church in the rearing of which he himself has had no hand. Self-sacrifice is one of the most powerful promoters of religious feeling. The man who builds a church himself, loves it all the more for the self-sacrifice he has undergone. But the man who finds a church built for him will love it far less ardently, if he love it at all. Looking, then, to the circum-

stances of English life in India, to the present state of English civilization, and to the fundamental laws of religious culture, we feel fully justified in demanding immediate disestablishment of the State Church in this country.

## LATEST NEWS AND NOTES.

WE HAVE just received a proof copy of a Scheme, by Dr. Rajendralala Mitra, for rendering European Scientific Terms into the Vernaculars of India. The subject is one of great importance, and the naturalization of European science in this country depends to a great extent on a satisfactory solution of the question on a national and correct basis. We shall notice it in our next issue.

IN ANOTHER column we announce the appointments made to the Bengal Secretariat. Perhaps the best appointment which Sir Richard Temple made during his administration of Bengal was that of Mr. Reynolds to the Bengal Office. A man of culture, knowledge, ability, and quickness, he makes an admirable Secretary, and if the Lieutenant Governor knows how to lead him, for he is somewhat indifferent to the outer world, His Honor can educe his good qualities to the best advantage. Mr. Eden has done well by giving him the *pucka* appointment. Mr. S. C. Bayley was considered by Sir George Campbell a model officer, and he has justly earned that character. He combines a knowledge of Bengal and Behar, and possesses a thoroughly practical head. Mr Mackenzie is a shining light of the Indian Civil Service. As a district officer he worked admirably in Moorshedabad; during the few months he officiated as Secretary to the Board of Revenue, he resuscitated the dead bones of that venerable body; in the Bengal Office he would be the round man in the round hole. The Secretaries to the Bengal Government are *ex-officio* Councillors of the Lieutenant Governor, and with such a strong Secretariat Mr. Eden may well look about himself with ease and confidence.

THE LATEST Kabul news is that the Governor of Kurrum has remitted Rs. 70,000 to the Amir; and reported that, in accordance with His Highness' wishes, the troops there are being drilled daily. The Governor at the same time pointed out that there was a great want of artillery at Kurrum; in consequence of which the Amir immediately ordered a strong battery of artillery to be sent from Siah Sang. Preparations are being made to locate the artillery in the fort at Kurrum which is being repaired.

INTELLIGENCE has been received from what are regarded as trustworthy sources which seems to show that Persia has no intention of assuming a hostile attitude towards Turkey at the present conjuncture. Persia apparently considers that her main interests as a Musalman state, and one of the few that still maintain independence, are identical with those of the Porte. Differences still exist between the two courts, but they appear not to be of such a nature as to threaten any serious breach.

WE UNDERSTAND that in order to develop the railway traffic between Bombay and Madras, a considerable revision of through rates for certain staples (piece goods and yarns) has been effected. It is hoped that this may lead to other adjustment of through rates which would tend to develop this traffic, whilst increasing the up-traffic of the G. I. P. Railway. The Bombay Chamber of commerce are of opinion that a considerable traffic would result from judiciously fixed rates. In the case of the goods above referred to the rates charged were 25 pies per ton per mile on the G. I. P. Railway and 18 pies on the Madras Railway, giving a through rate between Madras and Bombay of Rs. 3-7-10 per maund. These rates have now been reduced by one-half.

WE UNDERSTAND that the Madras Government is about to introduce a Bill into the Local Legislature on the subject of Mahomedan marriages and divorces. The Bill will be mainly drawn on the lines of the present Bengal Act I of 1876 on the same subject.

IT IS reported from Persia that the Russians have met with a reverse at Kazil Arvat, and that all the Turkoman tribes in that region have united to protest against the Russian occupation of the valley of the Attrek and the surrounding districts. The Turkomans are said to maintain that they are really Persian subjects, and declare that they are willing to give their allegiance either to Persia or Afghanstan, but not to Russia.

WE UNDERSTAND that the terminal charge on coal at Howrah, which at present is an impost amounting to 4 per cent. *ad valorem*, is to be taken off at once. This is a concession which is likely to be valuable to many commercial interests.

WE THANK Messrs. Wyman and Co. for a copy of the new Civil Procedure Code, to which are added as an appendix the Court Fees' Act and Royal Charter and Letters Patent constituting the High Courts of Bengal and the North Western Provinces together with the speech of the Sir Arthur Hobhouse on the passing of the Bill with an elaborate index to the Code itself. It is priced Rs. 5 including postage. The publication is opportune; the typographical execution good, and the book handy. The index is elaborate and complete.

IN CONSEQUENCE of the famine in Madras the rice trade in Bengal is very brisk. Large exportations are being made daily to Madras. The coarse rice, which was selling before at one rupee and four annas a maund, is now selling in Calcutta at Rs. 2-11 ans. It is believed that this exportation will continue till December next or till the next crop is gathered. Similar exportations are being made from British Burmah. Akyab is threatened with a scarcity of rice.

A CASE of diabolical murder has been brought to our notice, and we commend it to the earnest attention of the Magistrate of Nuddea and the Sub-divisional Officer of Choadanga, in whose jurisdiction it has occurred. On the 9th instant at about 4 P. M. one Ramgutty Biswas accompanied by another person named Troylukhonath Biswas started for the Factory at Lokhnathpore in the Choadanga Sub-division. At about one A. M. Troylukho returned and reported that Ramgutty was detained at the factory for the satisfaction of the debt due to it. At 11 A. M. of the following day report was received at the Police station of Joyrampore that a portion of Ramgutty's garments together with his riding whip saddle and bridle was found under a tree near the Doogdoogy tullah or tank and that his horse was also found tethered at a spot hard by but no trace found of the owner. In the subsequent police enquiry which followed the body was hauled up from the tank above named. It was sent to a hospital by the Police Inspector for examination, and the doctor reported that death was caused by the deceased being caught by the throat and struck on the face. We are informed that an enquiry was held at the factory by the Magistrate himself, and a similar enquiry was held at Sreekole, the native village of the deceased, by the Inspector of the Damoorhooda police station, to ascertain by personal examination of the party who accompanied Ramgutty the fact of the deceased's journey in his company, and the return of the deponent without the deceased. Six other persons of the village were also examined. No clue has been found of the murderer. This is scandalous. It would reflect no credit upon the Police and the Magistrates, if the author of such an atrocity should go undetected and unpunished.

WE ARE REQUESTED to publish the following letter, which Moulvi Abdul Lateef Khan Bahadoor has received from the Turkish Consul General at Bombay:

I beg to acknowledge the receipt of your letter enclosing 4 Bills of Exchange for Rs. 10,000, in aid of the wounded Turkish Soldiers, one of which was for Rs. 1,800 subscribed by the Mahomedan Committee of Mozufferpoor, another for Rs. 919-6 raised by the Anjoman-i-Islam of Lucknow, and the remaining two for Rs. 7,280-10 collected by the Committee appointed at the Public Meeting of the Mahomedans of Calcutta.

The above sums of money together with other items will be safely forwarded to Constantinople on the 24th Instant, and the receipts thereof will be duly transmitted to you on their arrival from that city

Trusting that you will be good enough to send the receipts herewith enclosed, for the sums remitted by the Mozufferpoor and Lucknow Committees, to their respective destinations.

A CORRESPONDENT sends us the following report of the Dacca Defamation case:

You must have heard of the *The Dacca Defamation case*. It first appeared in the columns of a local journal "*The East*" and then reported in the *Englishman* and *The Friend of India and Statesman*. We thought the case had raised a little wind, but it seems there is a regular storm in the kettle at present. For those of your readers who may have forgotten the facts of the case I beg to repeat them here. One evening Mr. Archibald, late professor of the Dacca College, left his bicycle in the College compound where he went to enjoy a game at Badminton. Babu Hari Mohan Ganguli, the Gymnastic Teacher of the College, led by curiosity and the importunity of the boys used the bicycle and slightly damaged it. The damage was not perceived by any body on that day. Next evening when Hari Mohan came to teach the gymnastic class he was told that the bycicle had been damaged and Mr. Archibald had enquired of it from the students during College hours. A few minutes after, Messrs Archibald and Stack (the latter is another professor of the Dacca College) came to the College compound. Mr. Archibald told Harimohan "you have damaged the bicycle and shall have to pay for its repairs." Hari Mohan consented to this: But hardly had Mr. Archibald finished and before Hari Mohan could answer Mr. Stack (who, by the bye I may mention is a N. W. P. man) unnecessarily interfered and said "I am sure you will deny it," and used abusive language towards him which in the plaint is put down to be '*d—d cheat*,' '*dunce*,' '*blackguard*' &c. Babu Harimohan did not lose his temper nor answered Mr. Stack but expressed his regret to Mr. Archibald for having used his bicycle and injured it. The matter was compromised. Babu Hari Mohun offered to pay and subsequently paid the repairing charge *two Rupees*. The friends of Babu Harimohan having heard the circumstances advised him to file a suit for damage against Mr. Stack. After the suit was filed Mr. Ewebank, Principal of the College, sent for Babu Harimohan and asked him to withdraw the suit which Baboo Harimohan consented to do on condition that Mr. Stack would apologize and pay his costs. Mr. Stack having refused to do this the matter dropped for the time. So far it was all well. But, Mr. Editor, you will be surprised to hear what followed. More than a month and a half after Mr. Peacock, the Commissioner, sent for Baboo Harimohan told him to withdraw the case *unconditionably*, and gave him to understand that he was sure to lose his case and unless he withdraws his suit, he will be dismissed. The Commissioner wanted a definite answer within 24 hours. To the credit of Baboo Harimohan be it said that he did not lose heart. In deference to the Commissioner he did not press for apology but said he was willing to withdraw the case with the poor satisfaction of getting his costs. This too was refused him, and he had no other alternative but to proceed on with the case. That day he went to the College and found himself suspended and the day following his case was transferred from the Court of the Sudder Munsiff to that of the District Judge. This transference took place after a witness had been examined.

This is in short the history of the unfortunate Dacca defamation case up to the stage at which it has arrived. I will not comment on the case as it is *sub-judice*.

A CASE in some respects worse than the Fuller case has occurred in Bombay. The facts are thus set forth in the columns of the *Madrassee*:

A native gentleman, Mr. Moroba Vinoba and family were passengers in a steamer belonging to a Mr. Shepherd. Though Mr. held Moroba a second class ticket, yet he, being a friend of the owner of the steamer, was seated in the first Class. The steamer arrived at the port of Anjanmal and Mr. Todd, who wanted to proceed to an adjoining station got in with his bull dog. He could not bear to see a native proceeding in a first class compartment and the sight of Mr. Moroba was bitter to him. For this all sufficient reason began to abuse natives in general and then proceeded to inquire how Mr. Moroba travelled in the first class and whether held a first class ticket. Mr. Moroba answered in the affirmative and this only served to add fuel to the fire and so Mr. Todd struck him with the whip which he held in his hand. Mr. Moroba's servant next come to his master's rescue and attempted to snatch the whip from Mr. Todd the bull dog that accompanied the latter was equally faithful to his master and bit the servant and so disabled him as to compel him to put himself under medical treatment. So far Mr. Todd made himself master of the place by the display of sheer brute force but he was evidently not satisfied with this feat. He desired to terrify him victim by the exercise of his magisterial powers and nothing was easier for him to do. He was himself a magistrate and at once ordered his police peons to unceremoniously remove from the steamer Mr. Moroba and his son a lad of fourteen whose offence appears to us to have consisted in his venturing to remonstrate with Mr. Todd against his father's maltreatment. Both father and son were taken into custody by the police and forcibly removed to the shore and worse things might have happened to them had the captain of the steamer left them behind and proceeded on his voyage. He however, refused to leave the port when two of his passengers were detained on shore and Mr. Todd had no course left but to order his victims to be brought once more to the steamer. Mr. Moroba of course lodged a complaint against Mr. Todd and we are told by the Bombay *Native Opinion* that the District Magistrate, Mr Crawford held the charge proved and punished Mr. Todd with a fine of fifty Rupees!

Will Sir Richard Temple take no notice of Mr. Todd's conduct?

A VERY important question has arisen whether an appeal or reference to the High Court should be allowed from an unanimous verdict of jury, in connection with a case of murder, which lately came up to the High Court. The jury unanimously acquitted the prisoner, and such an acquittal under the old law was not open to revision. The Chief Justice and Mr. Justice Prinsep have reversed the verdict of the Jury, but the dissenting Judge, Mr. Justice Markby, remarks :

"Dealing as I am now with the case of a unanimous verdict of acquittal I adopt those observations as my guide, and what they amount to is well expressed by the Bombay High Court that we ought not, as a general rule, to interfere under section 263 with the verdict of a Jury, unless it is perverse and patently wrong. Of course I am here supposing that the verdict of the Jury has been arrived at legally and properly."

"In the present case there is no suggestion of any impropriety or illegality in the verdict of the Jury. It seems to me impossible to admit the supposition that the Jury are not fit to perform their duty. They have declared unanimously that, in their opinion, the prisoner is not guilty, and I do not feel justified in saying that the verdict should not be recorded.

The remarks of Mr. Justice Markby suggest the propriety of amending the law in this respect. Far better that there should be no Jury trial than that it should be reduced to a mockery.

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WE HAVE received the address of congratulation presented by the Mahomedan Literary Society to the Lieutenant-Governor of Bengal, and His Honor's reply thereto. We can make room only for the reply :

Gentlemen.—I have to thank you very cordially for your congratulations on my appointment to be Lieutenant-Governor of Bengal, and for the kind wishes which you express for the success of my administration. I am well aware that this success must depend in a great degree on the amount of loyal co-operation and sympathy which I receive from Societies such as yours, which lead and guide the formation of public opinion among the large bodies of influential men who are included in their rolls. It is therefore gratifying to me to receive at the commencement of my administration an assurance of the confidence which that portion of the Mahomedan Community which your Society represents feels in the sincerity of my wishes to do what I can to protect and promote their interests.

2. My acquaintance with the Mahomedan Literary Society is of very long standing. I have watched its career from its commencement in 1863, and I am well aware of the good work which it has done in making known to Government from time to time the requirements of the Mahomedans in regard to education, and in assisting to bring the Government system of education into accord with special educational institutions of the Mahomedan Community. Much remains to be done in this respect, and the subject is, as your Secretary is aware, already occupying my serious attention.

3. The propriety of giving to Mahomedans a fair share of the appointments to the service of Government has for many years past been recognised by successive Governments, and is certainly recognised by me. But there has hitherto been a practical difficulty in the way, and this difficulty still exists, and can only be removed by the Mahomedans themselves. This difficulty is the deficient supply of young Mahomedan gentlemen who have taken the trouble to thoroughly qualify themselves for the higher branches of the service of Government. Up to this time the limit to the number of Mahomedan gentlemen in the public service has thus been fixed by themselves. In the present day it is impossible to appoint to offices of trust and responsibility persons who do not possess the qualifications necessary for the discharge of the duties of such offices. For many years the Mahomedans, in spite of the advice of their best friends, as I am able to say from personal experience, resisted and withstood all attempts to adapt the education of their sons to the requirements of the times, and the consequence is that now, when Government endeavours to find Mahomedans capable of holding their own with young men of other races, it is frustrated by the very limited number of young men who have been sufficiently trained in Western Knowledge and Literature to justify their appointment to offices in which such knowledge is essential.

4. But I believe and hope that I am speaking rather of a state of things which has passed away than of the present feeling of Mahomedans. I think that it is owing in a great degree to the wise counsels, influence, and pressure of your Society that Mahomedans are now beginning to see that progress in the improvement of the public service cannot be stayed to meet their desire for conservatism and educational exclusiveness, and I see tangible and hopeful signs that they are now preparing to enter into competition on even terms with candidates for the public service of all races, and I am sure that, when they do this in earnest, they will have no cause to complain that Mahomedan interests are neglected.

5. It rests with your Society to give a further impetus to the movement, and I can promise to give my cordial assistance and support to any reasonable measures which you may suggest for such an object.

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THERE WAS a little scandal in the Bombay Legislative Council. We give it in the words of the Hon'ble Mr. Mahomed Alli Rogay :

"The first report of the Committee was made in the month of March, unanimously but the second report was signed by the majority of the Select Committee, and published, without giving us time to signify our dissent, or to go carefully over the Code. The late Under Secretary, Mr. Whitworth—I may be permitted to bring this fact to the notice of your Excellency—wrote to me a letter about the middle of April, asking me to sign a certain report which he enclosed, and which was the report that has been published and circulated and is now before the Council. Such a voluminous and important matter as the Revenue Code, I thought, required most careful consideration, and I am under the impression that at the last meeting of the Select Committee *it was understood that the report would be again discussed by them before it was published ; but instead of that, it was circulated and only the simple question was asked by the Secretary whether the members would signify "aye" or "nay" or say whether they agreed or dissented.* I wrote in reply that it was simply impossible for a man like me to contain in my head all that was in the Revenue Code, and I said that unless the whole Code was before me with the old laws and the new laws such as the Burmah law which the Rao Saheb referred to I could not say with conscientiousness whether I assented to the Bill as a whole or differed from it. To my great surprise I found a few days afterwards that the report was issued, signed by a majority of the members of the Select Committee who seem to have thought that "Her Majesty's opposition" as we are termed wanted to throw a needless obstacle in the way of the progress of the Bill. I must say that is not the case. We had as far as laid in our power assisted our Hon. Colleagues to expedite the progress of the Bill."

The Hon'ble Mr. Rogay has done well in bringing these facts into light. Mr. Ravenscroft has given an explanation, from which we make the following extract :

"About the middle of April last, the Secretary, Mr. Whitworth, showed him the correspondence with Mr. Rogay and Mr. Mandlik and elicited his opinion as to the best course to adopt. In common with everyone else who had regretted the slow progress of this Bill, he (Mr. Ravenscroft) was anxious that no further delay should occur in bringing it forward; and before the excessive information which Mr. Rogay required could be obtained, it seemed to him that weeks or even months must elapse. This being the case, and knowing that His Excellency would wish to have the Bill, brought forward at an early date, he thought and Mr. Rogers also thought, it would be best to submit the report to the public, and leave the Rao Saheb and Mr. Rogay to prepare and state their views at the date most convenient to themselves."

The question is why was the report published without discussion. As to the "excessive information" required by Mr. Rogay the following conversation took place in Council :

"The Hon. Mahomed Ali Rogay asked permission to reply to Mr. Ravenscroft on the point of his correspondence with Mr. Whitworth.

H. E the President said he was not quite sure that it would be in order.

The Hon. V. N. Mandlik—I think personal explanations have always been accepted. I may be wrong.

The Hon. Ali Rogay—I offer it as a personal explanation.

H. E. the President said he would rather deprecate this sort of question being raised because it did not further the discussion.

The Hon. Mahomed Ali Rogay said he had not asked the Secretary for any more information than was before the Council, viz.—the complete Code properly arranged as finally decided by the Select Committee. He had not that information, and hence the delay and the absence of his signature from the report."

Sir Richard Temple was right in deprecating personal discussions of this kind in Council, but a member of a Select Committee cannot help appealing to the Council when he is unfairly treated by his colleagues. Mr. Rogay deserves praise for so firmly maintaining his position.

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# Correspondence.

## CHITTAGONG.

TO THE EDITOR OF THE HINDOO PATRIOT.

SIR,—In scrupulously keeping your silence in the matter of the Chittagong Khas Tehasildar's case which attracted so much attention of late, you must have thought that Mr. Newbery's ardent love of justice must have at last been roused by the dirty disclosures dragged to light by two successive trials and that some satisfaction was being given to the unhappy sufferer. If that is what you have been harping about allow me to tell you that you have been most miserably deceived. The prosecutions over, Mr. Newbery perhaps thought in the language of Milton

——"What though the field be lost ?
All is not lost ——

Mr. Newbery has not only taken no notice of the Sub-Deputy Collector's conduct, but he has quietly sent him back to his Island empire Kutubdea to wash his sins in the blue waters of the Bay, or to breathe fresh air after that exposure in the sickenning atmosphere of Mr. Sarson's Court. Observing the escape of a delinquent who had embezzled half a lac, though every pice of it was paid into his treasury, ever and anon Mr. Newbery bursts forth into exclamations of sympathy for his "poor" Sub-Deputy Collector, and detects a conspiracy against him in the universal hatred which the natives of this place, as well as the Sub-Deputy Collector's own countrymen are evincing towards him. Above all his rage as rumour has it against that "pestilence girl"—the newspaper correspondent!—knows no bound. Instead of being rewarded for the troubles Mr. Correspondent takes in chronicling the glories of the *Mofussil almightie*s, he is tossed on the waves of fear and despair. Alas! What a thankless, luckless task he has to perform. No Sir, this life is intolerable, and there must be an end of it.

But stupid that I am, the most important thing is yet unsaid. But I have, if I mistake not, the authority of my Lord Bacon, to say it in the *nota bene*. Before shaking my hands with you across the sea I should have told you that Mr. Newbery has not yet forgotten his friend, the poor Tehasildar. After the close of the case I understand there were some passages between him and Mr. Sarson. The latter it is said was asked to express an opinion regarding the general conduct—perhaps you are thinking of the Sub-Deputy, no my good Sir—of the Tehasildar. We understand Mr. Sarson has complied with this significant request, though we fail to see how he was justified in doing so. The defence of the Tehasildar was not gone into by him and therefore he was not in a position to form any opinion regarding the character of the Tehasildar. But it seems neither the trials nor Mr. Sarson's opinion disclosed anything which would justify Mr. Newbery in hanging the Tehasildar for embezzling money and paying that into the treasury, so he is still kept under an unlimited *suspension*. About a year ago this unfortunate man submitted a bill for about Rs. 1,000 of commission due to him by Government. It was left undisposed of pending the enquiry which the Sub-Deputy Collector was shortly after deputed to make into his papers. The result of the enquiry showed that the Tehasildar had embezzled half a lac, and though this amount was paid into the treasury, Mr. Newbery suspected that there might have been a hole in the treasury and the money might have leaked out. So he wisely kept the bill in abeyance, and when after the late trials the bill was again laid before him it has been sent back to the *sherishta* for report as to whether the Tehasildar still owes any money to Government, and this is the reason why people believe that Mr. Newbery suspects a hole in his treasury. This is of course serious! But the truth is instead of the Tehasildar owing anything to Government, the latter owes him another Rs. 600. In those dark Kirkwoodian days of high-handedness the Tehasildar had orders to carry out certain embankment works without a pice having been advanced to him. Driven to the wall the man had to lay out the above amount from his own pocket. Bills for the money were submitted to the Sub-Deputy Collector nearly eight months ago, and the gentleman after taking about six months' time to consider them had them returned for vouchers a few days before the institution of that marvellous prosecution by him, which has procured him an unenviable name. The Sub-Deputy Collector knew full well that the Tehasildar was then in great difficulty, all his property having been under attachment for his debts, and in the face of the contemplated prosecution he perhaps thought that it would be unkind to provide him with funds. These bills are I hear still lying unadjusted.

As I finish this I smell a fresh scandal in the air, but let it smell ever so rotten, I shall have none of it at the cost of my skin, which though black is none the less dear to me. So farewell once more. Let all the new berries, old berries, goose-beries, straw-berries and black berries flourish, it is of no consequence to a poor mouse like me. I would also warn friends and correspondents of the "*Mirror*" and the other papers, against any further itching of their palm. Forewarned is fore-armed.

*June 4th* 1877. Yours faithfully,

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## ACKNOWLEDGMENTS.

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## ADVERTISEMENT.

NOTICE.

The sale by Messrs. Mackenzie Lyall & Co. of the properties of the Estate of Nolit Mohun Doss under instructions from the Trustees has been postponed to the Thursday the 12th day of July next.

GONESH CHUNDER CHUNDER,
*The 25th June* 1877. *Attorney for the Trustees.*

# Government Notifications.

## Calcutta Gazette,—*June* 27, 1877.

GENERAL.—Mr. T. A. Donough, Deputy Magistrate and Deputy Collector, in charge of the Jamalpore Division of the Mymensingh district, is allowed leave for three months, under the rules in Chapter VII and under Section 1-3 of the Civil Leave Code.

Pending the appointment of an officer by the Government of India to the office of Agent to the Governor-General at Moorshedabad, Mr. G. J. S. Hodgkinson is appointed to have temporary charge of that office, in addition to his own duties as Officiating Magistrate and Collector of Moorshedabad.

In supersession of the orders of the 26th March last, published in the *Calcutta Gazette* of the 4th April following Mr. S. C. Bayley, C.S.I., is appointed to be a Secretary to the Government of Bengal, *vice* Mr. A. Rivers Thompson, with effect from the 1st May 1877.

Mr. Bayley acted as a Secretary from the afternoon of the 16th April 1877 to the 30th idem.

The following appointments, which were notified in the *Calcutta Gazette* of the 4th April last, under dates the 26th March and 2nd April 1877, will take effect from the 1st May 1877 :—

Mr. R. L. Mangles, V.C., to be Commissioner of the Bhagulpore Division.

„ F. H. Pellew to be a Magistrate and Collector of the First Grade.

„ J. Boxwell to be a Magistrate and Collector of the Second Grade

„ A. Weekes to be a Settlement Officer of Midnapore.

„ J. J. Livesay to be a Joint-Magistrate and Deputy Collector of the First Grade.

„ W. M. Clay to be a Joint-Magistrate and Deputy Collector of the Second Grade.

The following officers are appointed to act until further orders in the First Grade of Joint-Magistrates and Deputy Collectors :—

Mr. G. Stevenson, Officiating Joint-Magistrate and Deputy Collector, Bhuddruck, Balasore, *vice* Mr. R. M. Waller.

„ C. R. Marindin, Officiating Joint-Magistrate and Deputy Collector, Buxar, Shahabad, *vice* Mr. E. H. Ruddock.

„ K. G. Gupta, Officiating Joint-Magistrate and Deputy Collector, Perozepore, Backergunge, *vice* Mr. A. A. Wace.

„ H. M. Tobin, Officiating Joint-Magistrate and Deputy Collector, 24-Pergunnahs, *vice* Mr. G. M. Currie.

„ G. A. Grierson, Officiating Joint-Magistrate and Deputy Collector, Rungpore, *vice* Mr. F. H. B. Skrine, on leave.

The following officers are appointed to act until further orders in the Second Grade of Joint-Magistrates and Deputy Collectors :—

Mr. H. A. D. Phillips, Assistant Magistrate and Collector, Kendrapara, Cuttack, *vice* Mr. G. Stevenson,

„ F. B. Taylor, Assistant Magistrate and Collector, Meherpore, Nuddea, *vice* Mr. C. R. Marindin.

„ W. D. Blyth, Assistant Magistrate and Collector, Nattore Rajshahye, *vice* Mr. K. G. Gupta.

„ R. Carstairs, Assistant Magistrate and Collector, Tippera, *vice* Mr. H. M. Tobin.

„ D. Norton, Assistant Magistrate and Collector, Contai, Midnapore, *vice* Mr. G. A. Grierson.

Mr. F. R. S. Collier, Assistant Magistrate and Collector, Kurigram, Rungpore, is appointed to act until further orders in the Second Grade of Joint-Magistrates and Deputy Collectors, *vice* Mr. H. A. D. Phillips, on leave.

Mr. F. J. G. Campbell, Officiating Joint-Magistrate and Deputy Collector, Sewan, Sarun, is appointed to act as Additional District and Sessions Judge Chittagong during the absence, on duty, of Mr. R. M. Towers, or until further orders.

Colonel H. M. Boddam, Deputy Commissioner of Hazareebagh, is appointed to act until further orders in the First Grade of Deputy Commissioners.

Baboo Radha Kant Banerjee, Sub-Deputy Collector, Jhenidah, is appointed to be Sub-Manager of the Narail Wards' Estate.

Baboo Isser Chunder Mozumdar, Officiating Sub-Deputy Collector, Dinagepore, is allowed leave for three months from 28th ultimo, under Section 3-1, Supplement F, of the Civil Leave Code.

Mr. J. D. Anderson, Assistant Magistrate and Collector Atia, Mymensingh, is appointed to have charge of the Jamalpore division of that district during the absence, on leave, of Mr. T. A. Donough, or until further orders.

Baboo Brojo Kant Roy, Deputy Magistrate and Deputy Collector, Backergunge, is appointed to have charge of the Atia division of the Mymensingh district.

In supersession of the orders of the 19th April 1877, published in the *Calcutta Gazette* of the 25th idem, Baboo Kristo Chunder Dutt, Deputy Magistrate and Deputy Collector, Kishorgunge, in Mymensingh, is appointed to have charge of the Perozepore division of the Backergunge district.

The orders of the 19th April 1877, appointing Mr. K. G. Gupta, Officiating Joint-Magistrate and Deputy Collector, Patuakhally, in Backergunge, to have charge of the Perozepore division of that district, are cancelled.

The orders of the 4th instant, published in the *Calcutta Gazette* of the 6th idem, appointing Mr. J. E. A. Eyre, Deputy Magistrate and Deputy Collector, Banka in Bhagulpore, to have charge of the Mudhepoorah division of that district are cancelled.

In Supersession of the orders of the 31st ultimo, published in the *Calcutta Gazette* of the 6th instant, Baboo Hurry Churn Ghose, Deputy Magistrate and Deputy Collector, Patna, is transferred to the Bhagulpore Division, and is appointed to have charge of the Mudhepoorah division of the Bhagulpore district.

Baboo Chunder Seekur Banerjee, Deputy Magistrate and Deputy Collector, in charge of the Bongong division of the Nuddea district, is appointed to have charge of the Kooshtea division of that district during the absence, on leave, of Mr. J. Kelleher, or until further orders.

Baboo Tara Prosad Chatterjee, Deputy Magistrate and Deputy Collector, attached to the Presidency Division, is appointed until further orders to have charge of the Bongong division of the Nuddea district.

The following officers reported their departure from India on furlough on the 30th May 1877:—

Mr. H. Mosley, C.S.,

„ L. R. Forbes, Assistant Commissioner.

„ W. B. Martin, Deputy Magistrate and Deputy Collector.

Baboo Mohim Chander Ghose Officiating Deputy Magistrate and Deputy Collector, is appointed to have charge of the City Moorshedabad division of the district of Moorshedabad, with effect from the 20th April 1877, until relieved by Mr. E. M. Reily.

Baboo Gobin Chunder Bose, Deputy Magistrate and Deputy Collector, is posted to the Sudder Station of the district of the 24-Pergunahs.

Baboo Kedar Nath Mookerjee, who has, under orders of the 13th instant, been appointed temporarily to be a Sub-Deputy Collector of the Second Grade in the Patna Division, is posted to Seetamurhee, in Mozuffer pore.

Baboo Gopal Chunder Mookerjee, Officiting Deputy Magistrate and Deputy Collector, is transferred to Howrah.

Mr. E. R. Henry, Sub-divisonal Officer of Rajmahal, is vested with the powers of a Collector under Act X (B. C.) of 1870.

JUDICIAL.—Baboo Ram Chunder Pakrasee, zemindar, is appointed to be an Honorary Magistrate for the Serajgunge Bench, in the district of Pabna, and is vested with the powers of a Magistrate of the Third Class.

Baboo Kali Prosunno Mookerjee, Officiating Small Cause Court Judge Kooshtea, Pubna, and Chooadanga, is appointed to act as Second Subordinate Judge of Dacca during the absence, on leave, of Baboo Nobin Chunder Pal, or until further orders.

Baboo Nanda Lall Kunda, B.L., is appointed to officiate as moonsif of Julpigoree, during the absence, on leave, of Baboo Khetter Proshad Mookerjee, or until further orders.

Baboo Petamber Banerjee, temporary Sub-Deputy Collector, Backergunge, is vested with the powers of a Magistrate of the Third Class.

Baboo Kali Prosunno Mookerjee, Officiating Subordinate Judge of Dacca, is reappointed to act as Judge of the Small Cause Courts Kooshtea, Pubna, and Chooadanga during the absence, on leave, of Hadji Moazzim Hosein, or until further orders.

Baboo Ram Coomer Bose, Moonsif of Kallygunge, in Dacca, is appointed to act temporarily as Second Subordinate Judge of Dacca during the absence, on leave, of Baboo Nobin Chunder Pal, or until further orders.

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*Printed and published by* WOOMESH CHUNDER NUNDI, *at the* HINDOO PATRIOT PRESS, No 1 78, BARANUSY GHOSE'S STREET, CALCUTTA.